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**SECRETARIAT OF THE FRAMEWORK CONVENTION FOR THE
PROTECTION OF NATIONAL MINORITIES**

**COMPILATION OF OPINIONS OF THE ADVISORY COMMITTEE
RELATING TO ARTICLE 12 OF THE FRAMEWORK CONVENTION**

SECOND CYCLE

“Article 12

1. The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.
2. In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.
3. The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.”

This document was produced for the work of the Advisory Committee. For publication purposes, please refer to the original versions of the opinions of the Advisory Committee on the Framework Convention.

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*All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

As of 2 February 2016, the Advisory Committee on the Framework Convention for the Protection of National Minorities had adopted 40 opinions, among which 37 opinions on Article 12.

NOTE

Based on the information currently at its disposal, the Advisory Committee considers that implementation of certain articles does not give rise to any specific observations.

This statement is not to be understood as signalling that adequate measures have now been taken and that efforts in this respect may be diminished or even halted. On the contrary, the nature of the obligations of the Framework Convention requires a sustained and continued effort by the authorities to respect the principles and achieve the goals of the Framework Convention. Furthermore, a certain state of affairs may be considered acceptable at one stage but that need not necessarily be so in further cycles of monitoring. It may also be the case that issues that appear at one stage of the monitoring to be of relatively minor concern prove over time to have been underestimated.

1. Albania

Opinion adopted on 29 May 2008

Revision of school textbooks and curricula

Findings of the first cycle

In its first Opinion, the Advisory Committee considered that the authorities should pay greater attention to the cultures, history and languages of national minorities in the context of the forthcoming revision of school textbooks and curricula.

Present situation

a) Positive developments

The school curriculum review is under way: it is expected to give rise to the development of a framework curriculum approved at the central level and locally approved curricula adapting the framework curriculum to the needs of the local population. The Advisory Committee welcomes the increased flexibility in developing school curricula, which will allow greater consideration to be given to the needs of persons belonging to minorities, provided that representatives of these minorities are consulted appropriately and effectively and that the responsibilities of the various agencies involved are clearly specified.

New school textbooks have been published by the Ministry of Education and Science for some classes. They include textbooks in some of the minority languages taught in Albania, namely Greek and Macedonian.

b) Outstanding issues

Representatives of the Macedonian minority voiced their dissatisfaction concerning school textbooks in the Macedonian language. According to representatives of this minority, school textbooks cannot be imported from the “former Yugoslav Republic of Macedonia” because they do not meet the requirements imposed by the Ministry of Education and Science. Yet the textbooks produced in Albania and used by Macedonian pupils at present are apparently unsuitable, and in some cases are merely translations of Albanian textbooks. In addition, representatives of a number of national minorities, including the Vlach/Aromanian and Roma minorities, complained that school textbooks did not contain enough information about their communities.

Recommendations

The Advisory Committee invites the authorities to enter into intensive dialogue with national minority representatives, with a view to discussing how well the central government’s framework curriculum is being implemented at the local level and taking whatever action proves necessary. In order to ensure that the reforms are implemented in practice, it is essential that the authorities clearly specify the responsibilities of the various administrative levels in charge of education in minority languages.

The Advisory Committee considers that the authorities should step up their efforts to produce suitable school textbooks duly reflecting the culture of the various components of Albanian society.

Teacher training

Findings of the first cycle

The Advisory Committee was of the view that adequate consideration should be given to training teachers from the various national minorities.

Present situation

a) Positive development

The Advisory Committee notes that there is a Pedagogical Institute in Gjirokastrë which provides for teacher training in Greek language.

b) Outstanding issues

With the exception of the Greek minority, no teacher training is available in the languages of Albania's other minorities. There is a Department of Slavic Languages of the Balkans within the Department of Foreign Languages at the University of Tirana, but it does not offer adequate training for teaching the languages of these minorities, particularly Macedonian and Serbian. In practice, teachers currently teaching in/of the Macedonian language in Macedonian schools in "minority zones" have undergone all their training in Albanian. The only other option available to such teachers is to undergo training in the teaching in/of their languages offered either in or by their "kin-state" through the secondment of teachers. The Advisory Committee considers that, although assistance from "kin-states" in this area cannot be overlooked, the situation does not adequately satisfy the requirements of Article 14 in respect of the Macedonian and Serbo-Montenegrin minorities in particular.

The training needs of those teaching in the Roma language are just beginning to emerge at present. Representatives of this community have told the Advisory Committee that they wish to receive more support from the Albanian authorities, in particular through a system of study grants enabling them to study their language.

Recommendations

The Albanian authorities should give careful consideration to the demand for teacher training from those teaching in minority languages, particularly Macedonian and Serbian, and take appropriate steps to meet it, in particular by opening teacher training classes.

The Advisory Committee invites the Albanian authorities to encourage and provide appropriate support to persons from the Roma community wishing to undergo training in the Roma language, so that the teaching of this language can eventually be developed in Albania.

Access to education for Roma*Findings of the first cycle*

In its first Opinion, the Advisory Committee considered that the Albanian authorities should take steps to address school absenteeism among Roma children, cases of refused enrolment and the way such children were treated in class.

Present situation

a) Positive developments

In co-operation with non-governmental organisations, Roma associations have continued and stepped up their efforts to educate Roma parents about the need to enrol their children at school.

Nursery schools have been opened in some municipalities thanks to a joint effort by the Ministry of Education and Science and non-governmental organisations, with assistance from the international community. In some cases, the Roma community itself has taken the initiative of opening such pre-schools. While the bulk of the schools' funding comes from international aid, the Advisory Committee notes nevertheless that the Ministry of Education and Science has taken over the payment of teachers' salaries.

The Ministry of Education and Science has looked at the issue of refusals to enrol children without birth certificates, and issued a directive aimed at making it easier to enrol such children at school. The directive has alerted teachers to the problem and improved the situation to some extent.

In order to combat the school drop-out problem among Roma children, a second-chance education project has been launched. According to information from the Ministry of Education and Science, 50% of the 469 pupils involved in the project belong to the Roma community.

b) Outstanding issues

Possession of birth certificates by Roma children, on which school enrolment is conditional, is an issue that has not yet been adequately or comprehensively addressed by the authorities. The Advisory Committee refers back to its comments on Article 4 in this connection, and emphasises the need to find a solution quickly, given the negative repercussions on the schooling of Roma children.

No specific data is available on the schooling of Roma children in Albania. A World Bank study on poverty and education in Albania included data on school enrolment, however, broken down by income bracket. The school enrolment rate among the poorest groups, including Roma, is 10 times lower than the national average at some levels. This is the case for pre-school education in particular. In this connection, the Advisory Committee notes that such education has deteriorated considerably over the last decade, and that the number of nursery schools in rural areas has fallen significantly. This has caused problems in relation to access, which particularly affect the Roma community. Commendable pre-school education initiatives do exist, but they are isolated examples rather than part of a comprehensive, co-ordinated strategy, even though the National Strategy on Roma mentions pre-school education as a priority. Moreover, the Advisory Committee considers this a key stage of schooling with a view to helping Roma children achieve good command of the Albanian language, as well as learning their mother tongue, and adjust to a mixed school environment that is receptive to their culture and within which they are respected.

Literacy levels among Roma and especially among Roma women are reported to be well under the national average in Albania. Literacy and education levels of Roma within the active working age group have even fallen over time. This makes their inclusion in social and economic life more difficult (see also Article 15).

Recommendations

The Advisory Committee urges the authorities to tackle vigorously the issue of schooling for Roma children. In particular, they should ensure that the fact that children do not have birth certificates is not an impediment to school enrolment. The Albanian authorities should focus on obtaining figures enabling them to ascertain the rate of school enrolment among Roma pupils, by working closely and co-operating effectively with the various agencies active in the education field, especially Roma associations and local authorities.

The Albanian authorities should allocate appropriate resources to pre-school education as part of both the National Strategy on Roma and the pre-school education strategy currently in preparation. They should ensure that this educational stage can serve as a vehicle for long-term school attendance by Roma pupils.

The Albanian authorities should take measures to combat illiteracy among Roma, including Roma adults.

2. Armenia

Opinion adopted on 12 May 2006

Equal access to education for persons belonging to national minorities

Findings of the first cycle

In its first Opinion, the Advisory Committee was concerned about the absence of an active state policy in respect of persons belonging to national minorities in the field of education, and about the insufficient support provided by the State in this respect. The Advisory Committee

considered that the authorities should show greater commitment in order to ensure that persons belonging to national minorities can enjoy equal access to education and gain knowledge of their culture, history, languages and traditions.

Moreover, the Advisory Committee found that in some cases Yezidi children were being subject to discriminatory attitudes at school.

Present situation

a) Positive developments

Awareness of the needs of persons belonging to national minorities in the field of education has increased since the adoption of the first Opinion. There are more opportunities to study minority languages in public schools, especially Assyrian and Yezidi (see also comments with respect to Article 14). A comprehensive study of the status of school education in respect of ethnic minorities was carried out in 2004, which serves as a basis for policy-making in the field of minority education. It provides detailed information, including statistical data, on the educational situation and needs of Yezidi, Kurdish, Assyrian and Molokan children. The Advisory Committee welcomes these positive developments.

Efforts have been made to renovate a number of schools in areas where minorities live in compact settlements, although the overall physical conditions of many schools remain substandard.

b) Outstanding issues

The Advisory Committee is concerned about the consequences of the near collapse of the pre-school education system, due to a lack of economic resources. Pre-school education used to provide an opportunity for minority children to learn the language in which they would be educated. Currently there are very few kindergarten and pre-school institutions left which cater for the needs of minority children. As a result, many children from Yezidi, Kurdish or Assyrian background do not have a full command of either Armenian or Russian when they enrol in schools, regardless of whether they are enrolled in the Armenian or Russian section.

The Advisory Committee also considers that the high drop-out rates among girls of mainly Yezidi and Kurdish ethnic origin is a source of concern. The Advisory Committee was informed that for cultural reasons and due to early marriages, they are often taken out of school at a very young age, sometimes before the end of the 8 compulsory school years. The Advisory Committee was also informed of problems of absenteeism among Yezidi and Kurdish pupils, due to seasonal migrations to the highlands and among Molokan pupils, who are also often kept home to work.

The Advisory Committee notes that participation in secondary and higher education for Yezidi, Kurds and Molokans remains very low. This is linked to the difficulties finding employment regardless of the level of education, to the fact that having to learn the language of education during the first grades places students at a disadvantage and to the lack of awareness of the importance of education among some groups. The Advisory Committee also received information according to which economic difficulties and instances of harassment of pupils of Yezidi origin also contribute to such a situation.

A number of representatives of minorities also drew the Advisory Committee's attention to the fact that no specific assistance is provided in general by the authorities for adults to learn the Armenian language.

Recommendations

The Advisory Committee urges the authorities to take steps to allow the reintroduction of pre-school education in settlements where children do not speak the language of education (Armenian or Russian) at home, particularly in isolated and compact Yezidi settlements.

The Advisory Committee strongly encourages the relevant authorities to promote improved school attendance and to create incentives to reduce drop-out rates, paying particular attention to problems encountered by girls and young women belonging to some national minorities.

The authorities should also further support teaching of minority languages in higher education.

The Advisory Committee invites the authorities to remain vigilant with regard to reported incidents of harassment and discrimination of pupils from minority backgrounds, in particular Yezidi.

Teacher training and textbooks

Findings of the first cycle

In its first Opinion, the Advisory Committee expressed concern about the shortage of teachers, special curricula and textbooks for schools offering teaching in and of minority languages and nursery schools for children belonging to national minorities.

Present situation

a) Positive developments

A textbook in Yezidi was published by the Ministry of Education and Science and a textbook for teaching Assyrian in elementary school is under preparation.

Some support has been provided for the training of teachers of Assyrian language since 2003 and the Ministry of Education and Science informed the Advisory Committee that training of teachers of Kurdish and Yezidi will be organised as of 2007.

b) Outstanding issues

The Advisory Committee is concerned about the situation in the field of teacher training. This concern relates both to teachers of minority languages and to teachers working in schools with a large proportion of minority pupils, especially in rural settlements where substantial numbers of persons belonging to the Assyrian, Yezidi, Kurdish and Russian-speaking Molokan minorities live.

There are only few teachers with a minority background. They usually teach minority languages but often have only limited training. Ethnic Armenian teachers are often not well-prepared to teach pupils from the Assyrian, Yezidi or Kurdish minorities, most of them lacking a basic knowledge of the relevant minority languages. Most of the teacher training concerning minority languages has to be done by the national minorities themselves.

The qualitative and quantitative offer of textbooks for teaching minority languages was raised as an issue of particular concern by various interlocutors met by the Advisory Committee during its visit. Moreover, the Advisory Committee was informed that many teachers use textbooks from kin-states, which do not follow the Armenian curricula. The Advisory Committee also notes that the volume of literature in minority languages available to schools is insufficient.

The Advisory Committee notes that the authorities are confronted with the dispute over the ethnic identity of Yezidi and Kurds also with respect to textbooks. The groups concerned have not been able to agree on a common textbook in one script. It was decided to publish a textbook in Yezidi and in Cyrillic script, which is not well accepted among Kurdish communities.

Recommendations

The Advisory Committee urges the authorities to provide teachers working with children from minority background with adequate training at the level of higher education, and with in-service training possibilities. It also urges them to further promote and support the training of teachers from minority groups.

The Advisory Committee encourages the authorities to place special emphasis on the preparation and dissemination of quality textbooks. It believes that there is a need for a more proactive approach in this respect.

The Advisory Committee is also aware of the complex situation with regard to the publication of textbooks in Kurdish/Yezidi and the related controversy on the use of scripts. However, it encourages the authorities to keep an open and flexible attitude on this issue and to adapt their response as far as possible to the needs expressed by the various communities.

3. Austria

Opinion adopted on 8 June 2007

Intercultural education and dissemination of knowledge on national minorities

Findings of the first cycle

In its first Opinion, the Advisory Committee welcomed the fact that bilingual primary schools in Burgenland and Carinthia were increasingly popular, including among persons belonging to the majority population.

The Advisory Committee also noted that much remained to be done to disseminate knowledge of the culture and language of national minorities in Vienna and in Styria and that further efforts should be made to increase the multicultural components of school curricula.

Finally, the Advisory Committee invited the authorities to make sure that the needs of national minorities in the field of textbooks are met.

Present situation

a) Positive developments

During its visit, the Advisory Committee noted with satisfaction that the number of pupils registered in bilingual primary schools in Carinthia and Burgenland continues to be on the rise, even though the overall number of registered pupils in schools in these regions is decreasing. This trend demonstrates the growing interest in multilingualism among the majority population, which is likely to have a positive impact on the dissemination of minority languages and cultures, as prescribed by Article 12, paragraph 1 of the Framework Convention.

The Advisory Committee notes that principles of intercultural learning were integrated as compulsory elements in the curricula ("Global Learning Programme"). Furthermore, it welcomes the participation of Austria in a joint programme for intercultural learning involving various neighbouring countries (Italy, Slovenia and Hungary) as well as the multiplication of exchange programmes involving teachers and pupils of the entire Alexandria region.

The Advisory Committee welcomes the publication in Burgenland of teaching material in the three minority languages, i.e. in the Croat, Hungarian and Roma languages. The Advisory Committee is also pleased to note the publication in Burgenland of a specific history textbook for secondary schools focusing on national minorities, as well as the ongoing preparation, jointly with Hungary, of a cross-border history textbook.

The Advisory Committee welcomes the continuing efforts to develop teaching and other material in and of the Roma language, especially in the context of the project led by the University of Graz aiming at developing a standardised form of Burgenland Roma language.

b) Outstanding issues

Representatives of the national minorities informed the Advisory Committee that, in their view, national minorities' history and culture continue to be under-represented in textbooks and teaching, that they are often treated as a marginal issue and, according to some research,

sometimes based on clichés. Representatives of the Roma minority highlighted the fact that information on their history, culture and language is extremely limited in textbooks. The Advisory Committee is of the opinion that the availability of quality information on Roma culture and history would contribute to reducing prejudices against this group.

Representatives of all the national minorities reported a shortage of material for the teaching of minority languages and culture. This problem was particularly emphasised in relation to the Roma language, despite recent efforts to develop material in standardised Roma language (see remarks above in paragraph 136).

The Advisory Committee notes that the dissemination of knowledge on the culture, history and languages of the national minorities outside the traditional settlement areas, including in Vienna and in Styria, continues to be limited.

Recommendations

The Advisory Committee encourages the authorities to pursue their efforts to develop intercultural contents in textbooks and curricula. It also invites them to step up the dissemination of knowledge on the national minorities' culture, history and language at school, including outside the traditional settlement areas.

The Advisory Committee invites the authorities to make further efforts to ensure an adequate offer of textbooks for the teaching in and of minority languages and culture.

Teacher training

Present situation

The Advisory Committee welcomes the forthcoming creation, in 2007, of a college for multilingual education and intercultural learning as part of the teacher training section of the University for Applied Sciences of Klagenfurt. It also notes the existence of cross-border programmes of cooperation with Slovenia in this field.

The Advisory Committee notes that there are no formal teacher training possibilities as far as the Hungarian and Roma languages are concerned.

During the visit of the Advisory Committee, representatives of the national minorities expressed concerns at the shortage of adequately trained teachers for bilingual education and teaching of the minority languages, especially at the level of secondary education. They highlighted the fact that the number of teachers with sufficient language proficiency is not adequate, bearing in mind the increasing demand for bilingual education. The Advisory Committee also notes that head teachers of bilingual schools in Carinthia are no longer required to be bilingual.

Recommendation

The Advisory Committee encourages the authorities to pursue further their efforts to increase the possibilities for teachers in bilingual schools and teachers of minority languages to receive adequate training.

Equal access to education

Findings of the first cycle

In its first Opinion, the Advisory Committee invited the authorities to step up their efforts to promote genuine equality of opportunities in access to education for the Roma at all levels.

Present situation

a) Positive developments

The Advisory Committee welcomes the fact that the programme of Roma school assistants developed in some Vienna schools was taken over by the Ministry of Education with a view to

applying it further. It also notes that support classes are offered to Roma pupils in Vienna to increase their chances of integrating successfully in mainstream education. Moreover, the Advisory Committee welcomes the initiative reported by the Ministry of Education concerning the setting up of a pre-registration system of pupils at the age of five to enable early detection and tackling of possible language gaps, so as to prevent pupils from being directed to special remedial classes.

b) Outstanding issues

The Advisory Committee is concerned by reports pointing at the severe under-representation of Roma pupils at all levels of education as a major obstacle to their effective participation in socio-economic life and public affairs. Interlocutors of the Advisory Committee during its visit mentioned that Roma children living outside Burgenland continue often to be placed in special remedial classes, despite the implementation, in Vienna, of measures to counteract this problem. The Advisory Committee is concerned by this situation.

Recommendation

The Advisory Committee urges the authorities to pay increased attention to the educational situation of the Roma, particularly in Vienna, and to take more resolute measures to promote equal opportunities for them in education. The positive experiences implemented in Burgenland, and to a more limited extent in Vienna, could serve as a reference for other regions and should be developed on a more systematic basis.

4. Azerbaijan

Opinion adopted on 9 November 2007

Fostering knowledge of the culture, language, history and religions of national minorities

Findings of the first cycle

In its first Opinion, the Advisory Committee encouraged the authorities to develop history textbooks and other educational material that do not foster negative stereotypes of national minorities.

Present situation

Outstanding issues

Interlocutors of the Advisory Committee during its visit reported that information on the identity, cultural heritage, language and religion of national minorities in textbooks and teaching material remains limited and relates mainly to some aspects of the culture and folklore of national minorities.

Furthermore, from the information it received, the Advisory Committee observes that there is no policy to foster regular exchanges among pupils and teachers belonging to national minorities and those of the majority and between various minority groups. Regular exchanges could be especially beneficial for those involved in minority language education (see also remarks in respect of Article 14).

Interlocutors of the Advisory Committee underlined that there is limited support for research on minority languages and that there is, in general, a lack of attention for these languages in universities. The Advisory Committee reiterates its view that the ongoing process of emphasising the State language, including in the educational system, should be implemented in a way that does not harm the preservation and development of languages and cultures of national minorities. Measures to develop minority languages could form part of a law on national minorities.

Recommendations

The Advisory Committee invites the authorities to take steps to enhance and widen information on national minorities in educational material.

More support should also be allocated by the authorities for research on minority languages, history and other aspects of their cultural heritage.

Textbooks and teacher training

Findings of the first cycle

In its first Opinion, the Advisory Committee invited the authorities to address shortcomings regarding textbooks for minority languages teaching and teacher training.

Present situation

a) Positive developments

The Advisory Committee was informed by the authorities that additional textbooks for the teaching of some minority languages have been prepared and disseminated in the last few years.

b) Outstanding issues

Most of the interlocutors that the Advisory Committee met during its visit highlighted the lack of textbooks for minority language teaching as one of the most problematic issues in this regard. Imported textbooks do not entirely meet the needs of pupils of national minorities and more material in minority languages should, thus, be prepared by specialists in Azerbaijan. The authorities also mentioned that there is a lack of specialist knowledge in the area of educational material for minorities. The quality of the material already produced does, reportedly, not always meet the standards required in this field and representatives of the minorities claim that their views on the draft textbooks were not adequately taken into account.

The Advisory Committee notes that there is also a lack of adequately trained teachers for minority language education and limited possibilities to receive such specific training. It seems that, for imparting minority language classes, schools mostly rely on language abilities of teachers with a minority background rather than on specially trained teachers.

The lack of trained teachers and textbooks seems to be especially acute for numerically smaller national minority groups, such as the Khynalygs. Although the Advisory Committee recognises that providing adequate training to teachers and preparing specific textbooks for the teaching of the many minority languages existing in Azerbaijan requires a substantial effort from the authorities, it is important for the preservation of these languages that school teaching remains available.

Recommendation

The Advisory Committee invites the authorities to address shortcomings in the field of textbooks and teacher training for national minority languages, in close consultation with representatives of the national minorities concerned.

5. Bosnia and Herzegovina

Opinion adopted on 9 October 2008

Segregation in the school system

Findings of the first cycle

In its first Opinion the Advisory Committee called on the authorities to eliminate segregation of pupils by ethnic origin within the school system and, in particular, the so-called "two schools under one roof", with a view to promoting national reconciliation and social cohesion at all

levels. It also deemed that it was crucial to speed up the efforts to implement a common core curriculum, notably to facilitate the integration of returnees' children.

The Advisory Committee also drew attention to the inadequacy of the measures to foster knowledge of the culture and history of national minorities.

Present situation

a) Positive developments

During its visit to Brčko the Advisory Committee was pleased to note that schools were more "integrated" in this district and that pupils from the different communities attended the same classes. It also notes with interest that application of the common core curriculum is better-developed in Brčko than elsewhere in Bosnia and Herzegovina.

The Advisory Committee notes that the work to remove offensive content from school textbooks has progressed, although it is not complete, and that some schools are making headway with teaching multiple views of recent history.

b) Outstanding issues

The Advisory Committee is deeply concerned about the continued existence of the so-called "two schools under one roof" in the Federation and the development of mono-ethnic schools in both Entities, which institutes *de facto* segregation of pupils by ethnic origin from the very beginning of their schooling. It is particularly disconcerted by the fact that neighbouring countries of Bosnia and Herzegovina are encouraging and supporting the setting up of mono-ethnic schools in certain areas where persons belonging to the same ethnic groups live (see also remarks under Article 17 below). The Advisory Committee also notes that the common core curriculum is not systematically implemented and that the political will to move towards an integrated education system is largely lacking. It can also be seen that the possibilities of participating in extra-curricular or leisure activities with children from other communities are limited.

In addition, the state-level education authorities do not have the means to enforce and monitor implementation of the legislation in this field, since the Entities and the Cantons have retained extensive powers in these matters. The outcome is a lack of co-ordination and oversight of the measures taken by the different levels of authority. The Advisory Committee regards these developments as a matter of deep concern since they undermine the efforts to foster national reconciliation and could, in the long run, constitute a threat to social cohesion.

The Advisory Committee notes that the inclusion of elements of the history and culture of national minorities in the curricula, provided for by the State Law on National Minorities, as amended in 2005, has not progressed since its first Opinion, a fact deplored by the representatives of national minorities with whom the Advisory Committee had meetings. It notes that the only development in these matters is the preparation by the OSCE of a school textbook on national minorities. It hopes that the authorities will take resolute steps to distribute this textbook as widely as possible. In addition, the information obtained shows that there are still no possibilities of training teachers to teach the national minorities' languages and cultures. The national minorities accordingly continue to be "invisible" within the education system.

Recommendations

The Advisory Committee urges the authorities of the Entities and the Cantons to take far more determined measures to end segregation of pupils according to their national or ethnic origin, to promote multi-ethnic education and to impose more widespread application of the common core curricula.

The Advisory Committee calls on the authorities rapidly to make the history, culture and languages of the national minorities a component part of school syllabuses and to train teachers to inculcate knowledge of these subjects.

Roma in the education system

Findings of the first cycle

In its first Opinion the Advisory Committee expressed its satisfaction at the adoption of the Action Plan on the Educational Needs of Roma and Members of other National Minorities in Bosnia and Herzegovina (hereafter the Action Plan for the Education of Roma). It hoped that the plan's implementation would make it possible to overcome the many problems facing Roma with regard to access to education, notably poverty, the lack of identity documents, discrimination and verbal harassment, which *inter alia* resulted in low attendance and high dropout rates.

Present situation

a) Positive developments

The Advisory Committee welcomes the adoption, in October 2007, of a Law on Pre-School Education, which introduces pre-school education for all children and should therefore facilitate Roma children's integration into primary school.

It also notes that a number of municipalities have continued to take positive initiatives in connection with the implementation of the Action Plan for the Education of Roma. For example, the authorities of Brčko have earmarked a specific budget for the Action Plan's implementation and have created a post of Roma educational mediator. In 2005 the Canton of Tuzla adopted a series of practical measures to implement the Action Plan for the Education of Roma. Other municipalities have set up posts of Roma mediators in schools and have allocated a number of study grants to Roma students having reached the level of secondary or higher education. Lastly, the committee notes that school textbooks are distributed free of charge to all pupils and that some municipalities provide meals for the children of families without resources.

b) Outstanding issues

Despite the progress made in implementing the Action Plan for the Education of Roma, the Advisory Committee notes with concern that inequalities in Roma access to education remain, as a result of which the school attendance figures continues to be low, dropout rates are high, particularly among adolescent girls, the Roma are very under-represented in secondary and higher education and, lastly, Roma illiteracy remains extremely high, particularly among elderly women. These problems are linked to poverty, geographical and social isolation, the lack of identity documents, discrimination and prejudice and hostile reactions within the school system itself. The Advisory Committee was also told that Roma parents sometimes enrol their children in schools catering for children with mental impairments because other Roma children already attend these establishments.

The Advisory Committee notes a general shortage of financial and human resources for the implementation of the Action Plan. In addition, there is a lack of co-ordination between the activities of the education and the social welfare sectors, resulting in inefficiencies in the implementation of programmes for the Roma. What is more, a number of the Advisory Committee's contacts drew attention to deficiencies in the monitoring and evaluation of the Action Plan's results. In particular, the Advisory Committee was alerted to the fact that good practices developed in certain municipalities, often by NGOs, are not disseminated elsewhere by the state authorities, which could assume the role of co-ordinator and information-provider in these matters. Some municipalities with Roma inhabitants had reportedly not even been informed of the Action Plan's existence.

Recommendations

The Advisory Committee invites the authorities resolutely to pursue their efforts to ensure the systematic implementation of the measures set out in the Action Plan for the Education of Roma, notably through the allocation of adequate funding. It is likewise essential to carry out

regular monitoring of the Action Plan's application and an evaluation of the measures already taken.

It is important that the state authorities should assume in full their role of co-ordinator for the implementation of the Action Plan for the Education of Roma and verify that the various tiers of government are fully informed of their obligations in this field and that any positive projects and good practices are analysed with a view to being reproduced all over the country.

6. Bulgaria

Opinion adopted on 18 March 2010

Intercultural dimension of education

Findings of the first cycle

The Advisory Committee found deficiencies in the promotion of knowledge of culture, history and traditions of minorities in Bulgarian education, and considered that the authorities should take positive measures to give the Bulgarian education system a genuine intercultural perspective conducive to tolerance and openness to dialogue and diversity.

Present situation

a) Positive developments

The Advisory Committee welcomes the establishment on 11 January 2005 of the Centre for Educational Integration of Children and Pupils from Ethnic Minorities under the Minister of Education and Sciences. The Centre elaborates, finances and pilots projects promoting the culture of children and pupils belonging to national minorities at kindergartens and schools, thereby improving the situation of disadvantaged minority groups.

b) Outstanding issues

The Advisory Committee observes that, notwithstanding the various initiatives taken in recent years by the Ministry of Education, Youth and Science to develop intercultural teaching, their actual impact remains limited. According to various sources, there is still very little information available in public schools on the history and culture of national minorities, especially as regards Roma culture. This approach does not guarantee that even basic information on the history, culture and traditions of national minorities will be taught to all students in Bulgaria.

In addition, the Advisory Committee notes that the number of teachers trained to provide intercultural teaching and to work with Roma pupils remains limited and finds that this situation is an obstacle to improving achievement of Roma pupils and their increased integration at school.

Some representatives of national minorities, in particular from Turkish and Roma communities, indicated to the Advisory Committee that the textbooks used by the educational system insufficiently reflect the specific features and history of their communities. Moreover, they complained that the textbooks currently in use often contain a biased approach towards their history, and are furthermore outdated and thus irrelevant to the modern environment in which children belonging to national minorities live in Bulgaria today.

Recommendations

The authorities should review the existing textbooks and the compulsory curriculum in consultation with minority representatives, with a view to ensuring a better reflection of the history, culture and traditions of national minorities which should form a part of the curriculum for all students in Bulgaria.

More sustainable efforts are needed to promote intercultural teaching methods at school, particularly as regards additional training for teachers working with Roma pupils.

Roma children at schools

Findings of the first cycle

In its first Opinion, the Advisory Committee found that despite some measures taken in that respect, equal opportunity in access to education was not yet secured for Roma, who continued to face difficulties such as their isolation in schools, unwarranted placement of some in "special" schools, poor school attendance, high drop-out rates, increasing illiteracy, and lack of suitable teaching material.

Present situation

a) Positive developments

The Advisory Committee recognises that efforts have been made to tackle the unsatisfactory situation of Roma children in the education system. According to Section 29 (1) of the Protection against Discrimination Act (2004), the Ministry of Education, Youth and Science and the local self-governments have the obligation to take adequate measures to prevent racial segregation in educational institutions. In addition, the main objective of the Centre for Educational Integration of Children and Pupils from Ethnic Minorities is to promote equal access to high quality education to all, among others by helping municipalities to combat the *de facto* segregation faced by Roma pupils. In September 2006, new anti-discrimination rules were transmitted to all school directors and included in the school regulations.

The Advisory Committee notes that despite some positive results, the initiative to introduce Roma teaching assistants has been pursued on an *ad hoc* basis, often with limited funding. The Advisory Committee recalls that Roma assistant teachers and outreach workers play crucial roles in finding solutions to existing problems facing both Roma pupils and their families and act as a link between Roma families, the majority population, the school and the authorities.

The Advisory Committee welcomes the various programmes adopted by the Bulgarian authorities to improve the integration of Roma in the field of education. For example, the Strategy for the Educational Integration of Children belonging to Ethnic Minorities envisages concrete measures to be implemented by the Minister of Education, Youth and Sciences and has developed several activities aimed at school desegregation.

The Advisory Committee was also informed of a number of positive educational programmes in the towns of Lom and Sliven, supported by the local authorities, and of NGO projects that were models of good practice in early years education in Stolipinovo.

b) Outstanding issues

The Advisory Committee notes with deep concern that there is still a concentration of Roma pupils in separate classes in some areas as a result of the catchment areas for schools where a high proportion of Roma live. According to the second State Report, data collected by the Regional Education Inspectorates (REI) indicated that during the 2005-2006 school year, the total of pupils from grades I to XII was 867,496 persons among which about 90,000 were from the Roma community. According to the REI, during the same period, 30,421 Roma children attended kindergartens and schools located within the larger, separate urban Roma neighbourhoods. During the next school year (2006-2007), about 27,000 Roma children attended schools located in separate Roma neighbourhoods and 40,000 in the single schools in rural locations within predominantly Roma populations.

The above numbers seem to indicate that over 70 % of Roma pupils are attending schools that are predominantly Roma. According to Roma representatives, the infrastructure and technical equipment in many of these schools are particularly poor and the quality of teaching needs to be considerably improved. The Advisory Committee is deeply concerned by this situation and recalls that the segregation of pupils on the basis of their ethnic origin is incompatible with the principles of the Framework Convention, the aim of which is to promote integration.

The Advisory Committee further notes with concern that Roma pupils continue to face the same difficulties as pointed out in its first Opinion: low-level school attendance particularly for Roma girls, high drop-out rates, failure in the entrance exams at schools and universities, lack of suitable teaching material, and insufficient support measures. The Advisory Committee notes that the authorities recognise that specific problems related to the education of Roma children still present a challenge for Bulgarian society but underline that there is now a political consensus to solve this issue. Even though different pilot projects have been carried out in recent years with positive results, these projects have been discontinued.

In line with information provided by representatives of the Roma and some NGOS, the Advisory Committee notes that the greatest problem has been the failure of the Government locally or centrally to mainstream the many successful Roma education initiatives that are mainly piloted by NGOs with external funding. While these projects are often not supported with governmental resources or institutional change, their success has often depended on the support of local authorities who do not systematically implement the Government's school support scheme and do not always have the determination needed to act effectively in this field.

The Advisory Committee is concerned by the low number of Roma children attending pre-school. According to non-official estimates, about 60-70% of Roma children do not go to pre-school. According to information received by the Advisory Committee from representatives of the Roma community, parents face multiple difficulties: the obligation to prove that they have paid all their taxes to have access to kindergartens, the absence of free public transport, the limited number of places, a shortage of buildings for kindergartens in the large cities following the major rural migration to cities especially Sofia, and a shortage of funds in the State budget. The Advisory Committee notes that the one year pre-school education is already mandatory and that there are initiatives to prolong that to three years for all children aged between five and seven, including children of national minorities, to help them master the Bulgarian language. However, it was informed by various sources that the public funds allocated to this programme are insufficient to meet the needs.

Recommendations

The Advisory Committee urges the Bulgarian authorities to put an end to practices of placing Roma pupils in separate classes or schools. Instead, measures should be taken to promote their integration into mainstream schools and classes. The situation at all levels should be closely monitored in order to avoid further segregation based on ethnic affiliation. Against this background, the role of Roma teaching assistants should be developed and financially supported, and intercultural teaching methods promoted with priority given to schools attended by Roma pupils.

The Advisory Committee calls on the authorities to monitor, develop and mainstream the good practices identified to improve access to and quality education for Roma children and ensure that the programmes decided by the Ministry of Education, Youth and Sciences are systematically implemented by local authorities in consultation with Roma representatives.

The Advisory Committee calls on the authorities, as a matter of priority, to make more sustained efforts to ensure access to kindergartens for all Roma children and guarantee that the curriculum in such kindergartens corresponds to the diverse needs and multi-lingual composition of the groups.

7. Croatia

Opinion adopted on 1 October 2004

Content of history textbooks

Findings of the first cycle

In its first Opinion, the Advisory Committee underlined the importance of the pending projects launched to ensure that history textbooks do not foster negative stereotypes.

Present situation

a) Positive developments

Following the expiry of the agreed moratorium on the teaching of recent history (1989-1995) in the Danube region in 2003, the authorities set up a commission to prepare a supplement to history textbooks, containing objective coverage of that period.

b) Outstanding issues

Pending the completion of the work of the above-mentioned commission, the pupils are using the old history textbooks, the content of which has prompted some criticism amongst persons belonging to the Serbian national minority.

At the same time, it has been stressed that efforts to ensure that history textbooks cover war-related and other events in a balanced manner should not be restricted to the books made available for the Serb pupils but should cover history textbooks more generally.

Recommendations

The authorities should continue to assist the work of the commission working on the history supplement so that the new texts can be made rapidly available to pupils. They should also ensure that all history textbooks used in Croatian schools offer an equally balanced picture of the past events.

Availability of textbooks in minority languages

Findings of the first cycle

In its first Opinion, the Advisory Committee urged the authorities to address the problem of securing textbooks for persons belonging to national minorities.

Present situation

Outstanding issues

A lack of up-to-date textbooks continues to be a serious problem for persons belonging to certain national minorities, in particular in secondary schools, to the extent that it may be a factor in the decisions of some pupils not to opt for minority language teaching.

Recommendations

The Croatian authorities should address the problem of textbooks as a matter of priority in order to ensure equal treatment of persons belonging to national minorities in the educational system. In addition to ensuring adequate domestic production of textbooks, the authorities should also consider approving to a greater extent, where appropriate, the use of books produced in the kin State of the minority concerned in accordance with Article 15 of the Law on Education and Schooling in a National Minority Language and Script.

Education of Roma children and contacts amongst pupils from different communities

Findings of the first cycle

In its first Opinion, the Advisory Committee expressed concern over the placing of Roma children in separate classes and their stigmatisation in certain schools and called on the authorities to take further measures to improve the status of Roma in schools.

Present situation

a) Positive developments

The authorities seem to be increasingly sensitive to the problems of Roma children in education and have launched new initiatives, including at the pre-school level, which are aimed at improving the situation and attendance of Roma children in schools. The National Programme for the Roma details a number of laudable measures that could help to further the protection of the Roma in the educational system, such as the employment of Roma assistant teachers in regular classes and provision of free meals for children.

b) Outstanding issues

The placing of Roma children in separate classes appears to be increasingly rare in Croatia, but this practice, which has been challenged in pending legal cases, continues in some schools in Medjmurje county. The National Programme for the Roma also endorses the idea of separate first grade, Roma-only classes for those who have not attended pre-school and are not proficient in the Croatian language. Such classes do not appear to be set up to foster teaching in or of Roma language or other elements of Roma culture, but rather to assist the children to obtain basic Croatian language and other skills so that they can meet the demands of the educational system. While recognising that these are valuable aims, the Advisory Committee considers that pupils should not be placed in such remedial, separate classes on the basis of their affiliation with a national minority but rather on the basis of the skills and needs of the individuals concerned, and where such placing is found necessary, it should be for a limited period only.

In addition to the above-mentioned Roma issues, there are also problems in respect of ensuring contacts between pupils of other communities in accordance with Article 12 of the Framework Convention. In Vukovar, the students with instruction, respectively, in Serbian and Croat, while formally attending the same school, are in some instances educated in separate facilities. The Advisory Committee acknowledges that separate classrooms are often required to introduce instruction in minority languages, but it stresses that this does not necessitate altogether divided facilities within the same school.

Recommendations

Croatia should fully implement the valuable educational initiatives contained in the National Programme for the Roma, including those promoting increased attendance of Roma children in pre-schools. The envisaged remedial first-grade classes should, however, not be conceived *a priori* as Roma classes, but as classes to which individuals are placed on the basis of their skills and needs, regardless of their ethnicity.

The authorities should encourage improved contacts between pupils of different communities, including through co-operation with non-governmental organisations and by addressing the cases where pupils attending the same school are placed in altogether divided facilities, according to their choice of language.

8. Cyprus

Opinion Adopted on 7 June 2007

**Equal opportunities in access to education.
Intercultural and multicultural education**

Findings of the first cycle

In its first Opinion on Cyprus, the Advisory Committee welcomed the regulatory possibilities and budgetary support for minority education, as well as the decision taken by the Government to establish a primary school for the Maronites.

Current situation

a) Positive developments

The Advisory Committee welcomes the measures taken by the authorities to support the members of the minority groups in the education field. The Government gives considerable financial support to schools providing education for these persons, in both the public and private systems. There are different school arrangements for each of the three minority groups, aiming to respond to their specific needs, traditions and cultures, based on the opportunities that exist within the Cypriot educational system.

For example, the Santa Maronas School, an entirely state-funded primary school, was set up to accommodate Maronite pupils in particular, but it is also open to children belonging to other groups. The school curriculum, identical to that of all public schools, also includes a weekly class on the Maronite religion. In the afternoon the Maronite pupils (of whom there are over one hundred and who make up the majority of pupils in this school) are offered optional classes on their language and culture, and additional religious education instruction.

The Advisory Committee appreciates that efforts are made by the authorities to respond to the challenges posed by the closure of the Melkonian Institute, a renowned private secondary school, attended by the majority of Armenian pupils. It welcomes in particular, the decision to adapt the teaching provided by the Nareg School, a public school operating in Nicosia, Limassol and Larnaka, in order to respond to the Armenians' needs in the field of education (see also comments under Article 14 below). While it is entirely funded by the Government, this school has a degree of autonomy since its governing body, appointed by the state, is comprised of Armenians who are chosen from a list put forward by the Armenian representative in parliament. In Larnaka and Limassol, there are other Armenian schools for pupils belonging to this group.

The Advisory Committee was informed by the authorities that, in order to promote more effectively the specific identity of the three minority groups among the rest of the population, information on their history and culture has been included in the new history text books.

b) Outstanding issues

While the representatives of the three groups are generally satisfied with the efforts taken by the authorities to meet their educational needs, they nonetheless also point out to shortcomings and difficulties in the practical implementation of the existing arrangements.

The Advisory Committee notes that the Maronites expect to receive more sustained support from the state in order to elaborate and produce the teaching materials they need to teach the key aspects of their culture, religion and, most importantly, their language, as well as to ensure better teacher training. It also appears that there are too few Maronites among the teaching staff and within school boards, which also means insufficient opportunities for them to influence school programmes and processes. According to Maronite representatives, increasing such opportunities would help to make the education offered by the Santa Maronas school more attractive and responsive to the needs of Maronites, and would encourage more Maronite families to choose this school for their children.

The Advisory Committee is also concerned by the reported difficulties and delays in the preparation and publication of textbooks in Armenian. It also notes the shortage of teachers who have sufficient knowledge of Armenian to teach the different subjects in that language.

In addition, the Advisory Committee notes that the optional classes on the history, language and culture of the three groups appear to only partly satisfy the needs of the pupils concerned. It supports the idea, expressed by the representatives of the three groups, that one way of making them more effective is to include these classes in the compulsory programme.

While welcoming the recent information provided by the Government on the content of the new history textbooks, the Advisory Committee notes that the representatives of the three groups have not been consulted by the relevant authorities on this matter. The Advisory Committee understands at the same time, from the information received, that the textbooks currently in use have only very limited information on the three minority groups, located within an optional chapter.

Recommendations

The Advisory Committee encourages the authorities to examine more closely the specific educational needs of the three minority groups and to try to find, in close consultation with their representatives, the most appropriate ways and means of satisfying those needs.

The availability of appropriate teaching material and qualified teachers for schools serving the minority groups should receive increased attention. Similarly, the latter's representatives should be constantly involved in the efforts made to promote their history and culture. The concerns of the Maronites should be addressed as a matter of priority in view of their particularly vulnerable position.

9. Czech Republic

Opinion adopted on 24 February 2005

Intercultural dimension of education

Findings of the first cycle

In its first Opinion on the Czech Republic, the Advisory Committee called on the authorities to redouble their efforts to ensure that information on the culture, history and languages of minorities was more effectively disseminated in schools.

Present situation

a) Positive developments

The Advisory Committee is pleased to note that, as part of its integration policy, the Czech Government has in recent years paid increasing attention to making people aware, from a very early age, of the importance of human rights, tolerance and multicultural dialogue. In this connection, it has devised a strategy for the teaching of human rights and tolerance - which also covers questions relating to national minorities.

The Advisory Committee welcomes the establishment by the Government, in 2002, of a Training Centre for Democratic Citizenship under the auspices of the Ministry of Education. One of its tasks is to introduce teachers of all levels (from primary school to university), the staff of psycho-educational centres and school inspectors, to the concept of multicultural education and train them to promote it in their work.

The Ministry of Education also supports programmes devoted to multicultural education by universities and research centres, and subsidises the production of teaching programmes and materials for national minorities. National campaigns against racism have been organised yearly since 1999, and these include also projects to promote multicultural education, which are run by NGOs in co-operation with schools, libraries and other educational establishments.

b) Outstanding issues

While welcoming the above mentioned recent developments, the Advisory Committee notes that much remains to be done to ensure that the traditions, languages and cultures of national minorities are genuinely known and appreciated in Czech schools. Minority representatives themselves consider that their cultures, languages and traditions get limited attention - or are even altogether absent in some cases - in Czech schools.

The Advisory Committee's dialogue with minority representatives has also shown that certain persons belonging to national minorities (for example, Russians, Serbs, Ukrainians and Roma), both children and adults, have a poor grasp of the Czech language, and face communication problems with the majority. The Advisory Committee understands that this applies, not only to persons who have arrived recently, but also to elderly people who have been living in the country for a longer period of time.

Recommendations

The authorities should pursue and extend the initiatives they have introduced in recent years to reinforce the intercultural element in education, with a view to fostering mutual knowledge and dialogue between the majority and the various minorities. Greater efforts are needed to teach the Czech language to persons belonging to certain minorities, without prejudice to the obligations under Article 14 of the Framework Convention.

Equal access to education. The situation of the Roma.

Findings of the first cycle

In its first Opinion on the Czech Republic, the Advisory Committee expressed concern at the educational situation of the Roma, and considered that the practice of undue placing of Roma children in "special" schools was not compatible with the Framework Convention. The authorities were encouraged to continue their efforts to eliminate isolation of these pupils, and find other ways to improve their educational situation.

Present situation

a) Positive developments

The Advisory Committee notes that the authorities are genuinely committed to improving the educational situation of Roma children, and are trying, in various ways, to realise this aim in practice. The Advisory Committee notes, above all, that the authorities are paying special attention to the unjustified placement of Roma children in "special" schools, reserved *de jure* for mentally disabled children who cannot successfully be educated in basic schools or in specialised elementary schools. It notes, in particular, the authorities' commitment to put an end to such practices.

Tests and methods used to assess children's intellectual abilities upon school enrolment have already been revised with a view to ensuring that they are not misused to the detriment of Roma children. Moreover, according to the authorities, the new Education Act (Act N° 561/2004 Coll.), which entered into force in January 2005, also introduces changes in the Czech system of education.

In addition to these changes, special educational programmes have been launched to help Roma children overcome their problems. These include waiving fees for the last year of pre-school education, relaxing the rules on minimum class sizes, more individualised education, appointing educational assistants (mostly Roma), as well as producing methodological handbooks and guidelines for teachers working with Roma children. Preparatory pre-school classes have also been organised for Roma children, and these have worked well, although on a fairly limited scale. To accommodate all the children concerned, these measures should be applied more widely.

The Advisory Committee also takes note of the special support programme for Roma access to secondary and higher education, and of the efforts made to build up a network of qualified Roma teachers and educational assistants. To ensure that Roma cultural identity gets more positive treatment in schools, special sections dealing with their culture, history and traditions have been opened at several universities. A textbook covering their history and lifestyle has also been commissioned by the Ministry of Education.

b) Outstanding issues

Although constant monitoring and evaluation of the school situation of Roma children is one of the Government's priorities, the State Report says little about the extent to which they are currently integrated in schools, or the effectiveness and impact of the many measures taken for them. The Advisory Committee notes with concern that these measures have produced few improvements. It also notes that local authorities do not systematically implement the Government's school support scheme, and do not always have the determination needed to act effectively in this field.

The Advisory Committee notes with concern that, according to non governmental sources, a considerable number of Roma children are still being placed, at a very early age, in "special" schools, and that revision of the psychological tests used in this context has not had a marked impact. According to non official estimates, Roma account for up to 70% of pupils in these schools, and this – having regard to the percentage of Roma in the population – raises doubts concerning the tests' validity and the relevant methodology followed in practice.

This situation is all the more disturbing, insofar as it also makes it more difficult for Roma children to gain access to other levels of education, thus reducing their chances of integrating in the society. Although legislation no longer prevents children from advancing from "special" to regular secondary schools, the level of education offered by "special" schools generally does not make it possible to cope with the requirements of secondary schools, with the result that most drop out of the system.

It is too early to determine whether the revised educational system introduced by the new Education Act (Act N° 561/2004 Coll.), will substantially change the present situation of over-representation of Roma children in "special" schools or "special" classes. It is necessary for the authorities to keep the circles concerned constantly informed of the new developments and to discuss with them the implementation of the new Act.

In addition, the Advisory Committee notes that, in spite of the awareness-raising initiatives taken by the Ministry of Education, many of the Roma children who attend ordinary schools are isolated by other children and by teaching staff, or even placed in separate classes. At the same time, it is recognised that in some schools Roma children are the largest pupil-group simply because the schools concerned are located near the places where Roma reside compactly. It is important to ensure that these schools, too, provide quality education.

Estimates as to the number of Roma children who remain outside the school system vary. It appears that those who do attend school rarely advance beyond primary school. Material conditions in some of the schools they attend are reportedly precarious, and the teaching they receive is still, in most cases, insufficiently adapted to their situation.

Recommendations

The Advisory Committee calls on the authorities to concentrate their efforts to make their support measures for Roma children more effective, and ensure that the programmes decided by the Ministry of Education are more systematically implemented by local authorities, in consultation with Roma representatives.

Priority should go to placing Roma children in ordinary schools, supporting and promoting preparatory classes and also educational assistants. Recruiting Roma teaching staff, and making all education staff aware of the specific situation of Roma children should also receive increased attention.

A further strategic priority should be the adoption of additional awareness-raising measures on the critical importance of education as a factor of individual development and social integration. An active involvement on the side of the parents, in particular with regard to the implementation of the new Education Act, should be also promoted as a condition *sine qua non* for the overall improvement of the educational situation of the Roma.

More determined action is needed to combat isolation of Roma children in both ordinary and “special” schools. A clearer approach, coupled with instructions and immediate action on all levels, is needed to put an end to unjustified placement of these children in “special” schools designed for children with mental disabilities. Effective monitoring measures, particularly designed to eliminate undue placement of children in such schools, should be one of the authorities’ constant priorities.

10. Denmark

Opinion adopted on 9 December 2004

Fostering of knowledge of the culture, history, language and religion of national minorities and the majority

Present situation

a) Positive developments

The Advisory Committee notes that the Danish Comprehensive Primary and Lower Secondary School Act states that all pupils should become acquainted with Danish culture and other cultures, although the curriculum does not lay down that teaching should be concerned with specific minorities. The Advisory Committee also notes that instruction in human rights forms part of the teaching in primary and lower secondary school.

b) Outstanding issues

The Advisory Committee has received representations that more could be done to reflect the culture, history, language and religion of the German minority and other ethnic and religious groups in the curriculum and in the textbooks used in schools.

In relation to the German minority, the Advisory Committee considers that any negative suspicion that existed towards this minority in the past should give way to recognition of the specific contribution that the German minority can make to life in Denmark, including through links to Germany, the German language and culture. A clearer reflection of this through the curriculum and through textbooks could benefit both the minority and the majority.

The successful integration of ethnic and religious groups in Denmark will also depend on the fostering of knowledge of their culture, history, language and religion within society (see also the comments under Article 6 above). While the Advisory Committee understands that the Ministry of Education has no plans to revise the school curriculum to promote further knowledge of ethnic and religious groups, the Advisory Committee considers that a discussion with those persons concerned on this issue is needed.

The Advisory Committee has received information alleging that undue restrictions may be being placed on children in certain day care facilities (kindergartens) in the use of their mother tongue. The Advisory Committee recalls in this context the pivotal importance of the first years of education for children and the importance of their mother tongue at a young age. The Advisory Committee also recalls Article 30 of the United Nations Convention on the Rights of the Child which makes specific provision for children belonging to ethnic, religious or linguistic minorities not to be denied the right, in community with other members of his or her group, to enjoy his or her own language.

Recommendations

The Advisory Committee recommends that the authorities examine further, with those persons concerned, how to better reflect the culture, history, language and religion of persons belonging to the German minority and other ethnic and religious groups in the curriculum and textbooks.

The Advisory Committee considers that undue restrictions should not be placed on the use by children of their mother tongue in day care facilities (kindergartens) and that the authorities should look into this matter and examine the extent to which there may be a problem. The Advisory Committee recommends that the authorities provide clarification to parents, teachers and schools on what may be acceptable in terms of limitations on the use of the mother tongue so as to tackle any confusion which may exist concerning this issue.

11. Estonia

Opinion adopted on 24 February 2005

School curriculum*Findings of the first cycle*

In its first Opinion, the Advisory Committee underlined that the identity of all ethnic groups living in Estonia is to be reflected in schools in accordance with the national curriculum. The Committee further stressed the importance of supporting teaching of minority languages to persons belonging to the majority.

Present situation

a) positive developments

In the framework of the Integration Programme, initiatives on curriculum development co-operation between Russian-medium and Estonian-medium schools have been launched. Also, a number of new textbooks for children studying in language immersion classes have been drawn up in a manner that takes into account the cultures of persons belonging to national minorities, avoiding at the same time gender stereotyping.

b) outstanding issues

Despite some efforts, studies suggest that the multicultural elements in the curriculum of Estonian schools remain comparatively modest. Moreover, while the teaching of certain minority languages for majority pupils is available in a number of schools, studies show that the importance of studying minority languages is not widely appreciated amongst majority pupils.

The Government announced in October 2004 the establishment of a new commission to look into history issues. The envisaged task of the commission, including review of history textbooks used in Estonian-medium and Russian-medium schools, is of direct relevance to the implementation of Article 12 of the Framework Convention and it is important that the work of the said commission entails an intercultural perspective and that persons belonging to national minorities are also involved in the process.

Recommendations

Further efforts should be made to ensure that adequate multicultural elements are included in school curricula. Estonia should take further steps also to encourage majority pupils to study minority languages. Intercultural perspective should be reflected in the work of the new commission on history issues.

Teacher training

Findings of the first cycle

In its first Opinion, the Advisory Committee called for increased language and other training for teachers.

Present situation

a) positive developments

Estonia has launched a number of training initiatives, including in-service Estonian language training for teachers and introduced promising teacher exchange initiatives between Estonian-medium and Russian-medium schools.

b) outstanding issues

There is a clear need to introduce more teacher training, including courses on language and in teaching methodologies, as well as study materials suitable for an increasingly bilingual school environment. This is instrumental *inter alia* to ensure that the quality of education does not suffer as a result of the increase in the proportion of Estonian language instruction in Russian-medium schools and that the teaching staff of schools continue to reflect the ethnic and linguistic diversity of Estonian society. The demand for additional training and other measures is particularly acute in many of those secondary schools that are expected to introduce Estonian as their main language of instruction as from 2007, but it also merits increased attention in other levels of education, including in pre-schools, especially in Ida-Virumaa.

Recommendations

Estonia should step up further its efforts in the field of teacher training and in the production of study materials suitable for a more bilingual school environment with a view to ensuring quality education.

Contacts between pupils

Findings of the first cycle

In its first Opinion, the Advisory Committee called for further initiatives to increase contacts between pupils of minority language schools and those attending schools with Estonian as the language of instruction.

Present situation

a) positive developments

Projects have been launched to facilitate contacts of children belonging to national minorities with Estonian-speaking children, including through Estonian language camps and family exchange programmes.

b) outstanding issues

While the above-mentioned efforts have yielded some positive results, the pupils in Estonian-medium classes and those receiving instruction in a minority language continue to have limited contacts. Also, the above-mentioned exchange projects and other similar initiatives focus almost exclusively on providing persons belonging to national minorities an experience in a cultural environment of the majority and not vice-versa.

Furthermore, it appears that none of the various models introduced to increase Estonian language instruction in pre-schools and basic schools entail a clear policy of encouraging the creation of bilingual classes bringing together pupils from both an Estonian language family environment and from a minority language environment or envisage measures to ensure that school facilities are planned so that they encourage contacts between them.

An increasing number of parents belonging to national minorities have requested that their children be enrolled in regular Estonian-medium pre-schools and schools. The Advisory Committee considers that introducing classes with pupils from both majority and minority communities can be a valuable way not only to improve the pupils' language skills but also to promote intercultural dialogue, provided the required specific pedagogical skills and tools and careful planning are ensured. There is a need to consider ways to further initiatives of this nature. This may need to involve changes in the current regulatory framework, which provides *inter alia* that, in order to enrol pupils in a school, they must have the sufficient proficiency in the language of instruction of the school concerned.

Recommendations

Estonia should further develop two-way contacts between children belonging to the majority and those belonging to a national minority. The importance of such contacts should also be reflected in the design and implementation of various models of education, starting at the pre-school level, as well as in the planning of educational facilities.

Access to pre-schools

Findings of the first cycle

In its first Opinion, the Advisory Committee underlined that the availability of Estonian language teaching in pre-schools should be achieved in a manner that also provides equal opportunities for access to such education for persons belonging to national minorities.

Present situation

a) positive developments

The Estonian language has been introduced gradually and in a manner that has not undermined the availability of Russian language teaching in pre-schools.

b) outstanding issues

The availability of teachers with adequate language skills and other challenges need to be tackled so as to ensure that minority language pre-schools remain a real option with quality comparable to other alternatives such as immersion models.

Recommendations

Estonia should continue to pursue vigorously its commitment to ensuring that children belonging to national minorities have equal opportunities for access to pre-school education.

Access to higher education

Findings of the first cycle

In its first Opinion, the Advisory Committee called for measures to ensure that the limited availability of Russian language instruction does not cause difficulties for persons belonging to national minorities with respect to their equal opportunities for access to higher education.

Current situation

a) positive developments

Estonia has continued to provide the possibility for persons belonging to national minorities to devote their first year at university to acquiring proficiency in Estonian language, and, in addition to private institutions, state universities have continued to offer some limited programmes in Russian.

b) outstanding issues

Language difficulties continue to be a serious obstacle in higher education for many persons belonging to national minorities, and this has contributed to the relatively high drop-out rate. Furthermore, the census data suggests that persons belonging to national minorities are significantly less likely to acquire a master or doctorate degree than persons belonging to the majority.

Recommendations

Estonia should take further measures to encourage and facilitate access of persons belonging to national minorities to higher educational institutions. In this connection, it is important to ensure that increase in the volume of state language instruction in the secondary education is pursued in a manner that does not harm the quality of education in schools attended by persons belonging to national minorities and thereby limit their possibilities to access higher education.

12. Finland

Opinion adopted on 2 March 2006

Information on minorities in the educational system

Findings of the first cycle

In its first Opinion, the Advisory Committee called on the authorities to ensure that text-books, and the educational system in general, provide adequate information on minorities, including on their culture and language.

a) Positive developments

The Advisory Committee welcomes the fact that the National Core Curricula for Basic Education, adopted in 2004, in addition to containing sections on minority-specific education, underlines, albeit only in a very general fashion, the need to take into account national minorities of Finland. The Advisory Committee welcomes the fact that the Ombudsman for Minorities has paid attention to the portrayal of minorities in the educational system.

b) Outstanding issues

The information received by the Advisory Committee suggests that the information on national minorities contained in textbooks continues to be inadequate, both in terms of volume and content, and teachers' knowledge of these issues is also often limited. The evaluation of the situation is, however, complicated by the fact that the high degree of decentralisation in educational matters limits the capacity of the central authorities to monitor the situation, for example, as regards the content of local curricula and of textbooks. (See also comments under Article 4 regarding reported problems faced by Russian students in Finnish schools).

Recommendations

Finland should design tools to ensure regular review of the content of the local curricula as well as history and other textbooks with a view to ensuring that national minorities are adequately addressed therein and make sure that this issue receives sufficient attention also in teacher training.

Roma in education

Findings of the first cycle

In its first Opinion, the Advisory Committee drew attention to the reports that a relatively high proportion of Roma children are placed in special and adapted educational groups within the public school system and it urged the authorities to consider alternative measures enabling children to stay in the regular classes. It also regretted the fact that the support of the Roma

language and culture was not adequately reflected in day-care. Furthermore, the Advisory Committee called for more efforts in the field of teacher training to address problems in the availability of Roma language classes.

a) Positive developments

The situation of Roma in the basic educational system has received significant attention following the adoption of the first Opinion of the Advisory Committee, including in a comprehensive survey on the status of Roma children's basic education published by the National Board of Education in 2004.

b) Outstanding issues

The above-mentioned survey confirms that Roma continue to face serious problems in the educational system. According to the survey, based on the situation in 2000-2001, 50 percent of Roma children received some form of special education (whereas 20 percent of the overall population received such education), and the drop out rate amongst Roma, in particular Roma girls, was also markedly higher than amongst pupils in general. The study also noted a range of other shortcomings that contribute to the marginalisation of Roma children in the educational system and highlighted the fact that it is rare for Roma to take part in pre-school education.

The limited availability of Roma teachers has continued to hamper the development of the teaching of the Roma language. Currently such teaching is available in only a small proportion of schools with Roma pupils (see related comments under Article 14).

Recommendations

The above-mentioned survey contains a number of recommendations that should be followed up by the authorities, including recommendations to analyse in more detail the real reasons behind transfers to special education, to increase knowledge of Roma culture within the school staff and to step up cooperation between schools and families.

Swedish language teaching for Finnish-speaking pupils

Present situation

Teaching of Swedish as the other national language is widely available in Finland, and it is a compulsory subject in comprehensive schools and upper secondary schools for Finnish-speaking pupils. However, as from 2004, Swedish is no longer a compulsory subject in the matriculation examination. It is important to ensure that the said change and other pertinent developments do not have negative consequences for Swedish language teaching for the Finnish-speaking population, bearing in mind also that the Swedish-language skills amongst the Finnish-speaking population are an important factor in ensuring proper implementation of language legislation. The Advisory Committee notes in this connection that the authorities in Sweden recently decided to provide support for the promotion of the Swedish language in Finnish schools.

Recommendations

The authorities should ensure careful monitoring of the developments concerning Swedish-language teaching and take continuous measures to promote the teaching of the Swedish language among the majority population.

13. Georgia

Opinion adopted on 17 June 2015

Education material and teacher training

Findings of the first cycle

In its first Opinion, the Advisory Committee considered that the authorities should intensify their efforts to supply good quality textbooks and to develop an effective professional training system for teaching in and of minority languages.

Present situation

a) Positive developments

The Advisory Committee welcomes the efforts made since the first cycle of monitoring in developing education materials. In particular were textbooks for all grades prepared in the context of the initiative “Georgian Language for Future Success” to facilitate the learning of Georgian as second language as from the school year 2013/2014. It also notes additional teaching aids and audio-visual materials as well as computer games that have been prepared to promote in particular the learning of Georgian as second language in schools with instruction mainly in minority languages. Measures have also been taken to promote the professional development and career advancement of teachers of public schools in regions and an additional initiative in this regard is planned to commence in September 2015 to benefit in particular school teachers in regions where persons belonging to national minorities reside in substantial numbers. The Advisory Committee further notes the special efforts to provide Georgian language textbooks to schools in Abkhazia, where Georgians live as minority among the majority Abkhaz population, via the Zugdidi training centre.

b) Outstanding issues

Textbooks and education materials overall at minority language schools in Georgia are still considered to be of insufficient quality and quantity. According to the assessment conducted by the State Ministry of Reconciliation and Civic Equality, 70% of textbooks have been translated into minority languages, although often inadequately. The textbooks for the learning of Georgian as second language were introduced only late in the school year 2013/2014 and many teachers are reportedly not able to use them because they do not command the language. Most training and professional development for teachers is provided in Georgian language which encumbers the participation of teachers of minority language schools and affects the quality of their teaching. Teacher certification is furthermore not conducted in minority languages which impacts on the motivation and prestige of teachers at minority language schools. Accordingly, the average age of teachers at minority language schools is rising and there are only few young students who are interested in pursuing pedagogical training for teaching in minority language schools.

Recommendation

The Advisory Committee calls on the authorities to prioritise the provision of adequate education materials, including multilingual teaching aids, in minority language schools and to identify effective means to ensure that minority language teachers are given access to the certification process and to enhanced opportunities for their professional development.

Equal access to education and intercultural content

Findings of the first cycle

In its first Opinion, the Advisory Committee considered that the authorities should effectively guarantee equal opportunities for persons belonging to national minorities in accessing higher education and should ensure that the education system provided ample opportunity for intercultural exchange and the promotion of tolerance, including through the pursuance of an objective and pluralistic approach to history teaching.

Present situation

a) Positive developments

The Advisory Committee welcomes the inclusion in the context of the education reform of some intercultural and civic education contents in the general curricula of all schools, as well as in the obligatory part of professional development courses for teachers. It further is pleased to note efforts made to promote the inclusion of particularly disadvantaged groups, such as some Roma and Meskhetians in public schools through activities with students and parents, as well as some extracurricular programmes. Special state funds have also been made available to provide grants, among others, to secondary school students from Azerbaijani or Armenian language schools, to Kists from Akhmeta municipality as well as to students from Abkhazia and South Ossetia. Moreover, special quota provisions exist for students of these groups to enrol in university and the Advisory Committee welcomes plans to extend such preferential enrolment policies also for students who attend Russian language schools, among them many representatives of numerically smaller national minorities. In addition as regards access to university education, the “1+4 programme” enables graduates of minority language schools to pass a general aptitude test in their minority language, upon which they are accepted into Georgian university with an additional first year that serves mainly to advance their Georgian language skills. The programme is widely considered a success, increasing numbers of students, including many women, have benefitted since its introduction in 2010. The Advisory Committee welcomes assurances received by the authorities that the programme will continue.

b) Outstanding issues

National minority representatives unanimously assert that their specific cultures and identities are insufficiently represented in school textbooks. Even the part in the curriculum that covers the regions of Georgia does reportedly not make comprehensive reference to the history and traditions of national minorities that compactly live in those regions. In addition, some history textbooks reportedly still contain stereotyped images of some minorities rather than portraying Georgia’s history as ethnically and religiously diverse country. The Advisory Committee finds that comprehensive and accurate awareness of the many and diverse cultures, traditions and languages present in Georgia as integral elements of society must be included in the public curriculum of all schools. Teachers are further reported to be often ill-equipped to handle multicultural and multilingual environments in school or to ensure that intercultural content is adequately introduced and respect for diversity taught from an early age on. As regards the promotion of equal access to education and the funding provided to students on a needs basis, the acute economic disadvantages of many national minority communities (see also comments on Article 15) reportedly result in many more needy students than can be supported within the allocated budget. As regards merits-based support, national minority representatives point to the continuously lower quality of education in minority language schools (see comments on Article 14), arguing that graduates of their schools have unequal chances to gain scholarships given that they generally fair worse in aptitude tests.

Recommendations

The Advisory Committee encourages the authorities to pursue their efforts to promote equal access to education for all students at the various levels, including at university. Close consultations on all programmes and measures with the directly affected communities must be conducted to ensure that the specific challenges are adequately addressed.

It further calls on the authorities to ensure that the specific identities and history of national minorities in Georgia are adequately portrayed in all textbooks and the promotion of respect and openness towards all groups included in the obligatory curriculum of all schools.

14. Germany

Opinion adopted on 1 March 2006

Roma/Sinti in the education system

Findings of the first cycle

The Advisory Committee noted that children of Roma/Sinti (and of immigrants, see remarks with regard to Article 6) were over-represented at lower secondary school level and in special remedial schools, and correspondingly under-represented in intermediate and grammar schools.

Present situation

a) Positive developments

The Advisory Committee has been informed of the setting up of numerous support programmes on behalf of children of Roma/Sinti and of immigrants in the various *Länder* to assist the inclusion of these children in the school system.

b) Outstanding issues

The Advisory Committee is deeply concerned about the fact that Roma/Sinti children are still over-represented at lower secondary school level and in special remedial schools (*Sonderschule*), and correspondingly under-represented in intermediate and grammar schools. The presence of children from these minorities in pre-school education/nursery classes is minimal.

Recommendations

The Advisory Committee strongly urges the German authorities to adopt measures to improve participation of Roma/Sinti children in the education system, on an equal footing with others. Among other measures, they should encourage greater participation by these categories of Roma/Sinti children in pre-school education/nursery classes, and increase teachers' awareness of the cultural differences and needs.

Multicultural curricula

Findings of the first cycle

The Advisory Committee expressed the wish that the authorities would continue in their efforts to extend the multicultural and multi-ethnic content of school curricula, even in areas outside those traditionally inhabited by national minorities.

Present situation

a) Positive developments

The Advisory Committee welcomes the projects that continue to be conducted at the level of the *Länder*, as described in the State Report, to promote better knowledge of the culture and history of minorities.

b) Outstanding issues

As already mentioned under Article 6, the Advisory Committee notes that more efforts could be made to disseminate information on the culture and history of minorities among the majority population. Despite existing programmes to encourage tolerance and combat racism, the Advisory Committee notes that the information delivered to pupils concerning cultural diversity is not always adequate. In particular, information on Roma/Sinti history and culture could be improved.

Recommendations

The Advisory Committee is of the opinion that the authorities should pursue their efforts aiming to include information in textbooks on history, culture and traditions of the various groups living in Germany, including outside the areas inhabited traditionally by national minorities.

In particular, the Advisory Committee considers that there should be more extensive instruction concerning Roma/Sinti history and culture under the school syllabi and teacher training programmes.

Furthermore, the dissemination of information on the Holocaust of Roma/Sinti to the general public should continue to be systematically supported.

Teacher training

Findings of the first cycle

The Advisory Committee considered it important to take account of the concerns expressed by certain representatives of the Sorbian minority regarding centralisation of provision for further teacher training in Sorbian at the University of Leipzig and of the clear need for the University of Leipzig to provide adequate training in Lower Sorbian as well.

Present situation

a) Positive developments

The Advisory Committee notes with satisfaction that positive developments have occurred in the field of teacher training. According to the information obtained, Frisian language training modules have been introduced into teacher training in Schleswig-Holstein. It also appears that in Saxony, Sorbian mother tongue entrants to teacher training in this *Land* have the assurance of obtaining a teaching post in the Sorbian schools or classes.

Several projects have been launched to train Roma/Sinti assistants for the classes attended by many children belonging to this minority, in order to help them overcome possible difficulties.

b) Outstanding issues

The Advisory Committee finds that the projects or programmes for introducing Roma/Sinti mediators into schools are marred by a lack of continuity in the funding and support provided, which prevents sustainable results from being achieved.

The Advisory Committee has been informed that there is a lack of teachers of the Frisian language. In this context, it is concerned about the recent decision to close down the Chair of Frisian language at the University of Flensburg.

The Advisory Committee notes that the number of teachers of the Sater Frisian language is insufficient, that teacher training is provided essentially by volunteers and that the preparation and production of educational material for the teaching of Sater Frisian is also based on voluntary work.

The Advisory Committee again refers to the concerns expressed by Sorbian representatives following the centralisation in Leipzig of provision for teachers' further training in Sorbian, particularly as regards the implications for the quality of the instruction given in Lower Sorbian.

Recommendations

The Advisory Committee is of the opinion that the authorities should continue to develop training of teachers involved in minorities' education.

The Advisory Committee encourages the authorities at the level of the *Länder* and at federal level to provide ongoing support for projects for Roma/Sinti children, particularly by means of the programmes to appoint Roma/Sinti teaching assistants and mediators. It should be ensured that such assistants receive high-quality vocational training.

15. Hungary

Opinion adopted on 9 December 2004

Segregation of Roma children in schools

Findings of the first cycle

In its first Opinion on Hungary, the Advisory Committee expressed deep concern about the improper treatment of Roma children in the field of education. The Advisory Committee considered that placing them in special schools reserved ostensibly for mentally disabled children was not compatible with the Framework Convention.

In addition to the placement of Roma children in the aforementioned special schools, the Advisory Committee mentioned other worrying forms of separation aimed at isolating Roma children from their non-Roma peers.

Present situation

a) positive developments

The aptitude test procedure used to determine which children are sent to the aforementioned special schools is enshrined in a Ministry of Education decree. This decree generally reinforces the role of parents in the decision-making process linked to the placement of their children in these schools.

Significant efforts have been made by the Ministry of Education to curb the segregation of Roma children. An important part of the integration programme launched in 2003 is devoted to this problem and appears to be producing some encouraging results. The new package of medium-term measures aimed at improving the living conditions and social status of the Roma population, approved by the Government in March 2004, also includes the elimination of segregation in education amongst its specific objectives.

b) outstanding issues

As noted by certain bodies such as the Parliamentary Commissioner for National and Ethnic Minorities and numerous NGOs, and confirmed by various court rulings, the Hungarian education system continues to create a strong phenomena of exclusion of Roma children. For example, a number of Roma children continue to be placed in special schools for mentally disabled children because of cultural differences. These and other practices contributing to the segregation of Roma children are partly due to current legislation but above all to its unsatisfactory implementation in practice, especially at the local level.

Under Hungarian law, parents are free to place their children in the school of their choice. In the opinion of the Ministry of Education itself, segregation between schools has tended to increase in recent years because the number of schools in which the proportion of Roma children exceeds 85% has risen. This phenomenon appears to be largely due to parents of non-Roma children gradually withdrawing their children from these schools, which increases the segregation effect.

Another form of school segregation through which Roma children with difficulties can be isolated has emerged relatively recently in Hungary. This involves persuading parents to ask for private pupil status for their children, who are then excused from attending school in accordance with Article 69(3) of Law LXXIX of 1993 on Public Education. The Parliamentary Commissioner for the Rights of National and Ethnic Minorities has received several complaints from Roma parents, claiming they have been pressured in this way. Some parents have complained that their child has been threatened with expulsion from school if they refused to request private pupil status. It is true that stronger safeguards were introduced by the Ministry of Education in 2001. These oblige school principals to ask for the opinion of the local child care department before authorising a child to be granted private pupil status. Despite these safeguards, the Parliamentary Commissioner for the Rights of National and Ethnic Minorities

continues to receive such complaints and it seems that some representatives of local child care departments are joining with local authorities and principals in increasing the pressure on parents until they give in.

Although the legislation in the field of education already contains guarantees concerning the prohibition of discrimination, it has not so far been sufficient to prevent the emergence and the development of exclusion and segregation practises by local authorities, which have extensive powers in the education field. It is the local authorities, for example, who decide whether a separate school building should be used to house a special class composed almost exclusively of Roma children, or whether one particular school should be implicitly designated as the "Roma school" in an area served by several different schools. It is also at the local level that all kinds of pressures are put on some Roma parents to persuade them to request private pupil status for their children.

The Government – particularly the Ministry of Education – does not have sufficient control over local authorities in this area and is therefore unable to discourage the persistence of such practices. The Ministry of Education, for example, appears unable to declare these practices illegal and to impose sanctions, including fines, against local authorities that use these various forms of exclusion and discrimination. Another example is that, under current legislation, the Government is unable to ask a school to participate in the campaign to eliminate school segregation, even if the school's situation suggests it ought to be involved.

Recommendations

Hungary should step up its campaigns aimed at eliminating the various forms of segregation affecting Roma in the education field. More resolute action should be taken to stop Roma children being unduly placed and kept in special schools reserved for mentally disabled children – including in relation to the way in which intellectual aptitude tests are conducted – as such a practice is not compatible with the Framework Convention. Stronger emphasis should be placed on the development of a trustful relationship between the parents of Roma children and school staff, for example by increasing the number of Roma mediators and Roma assistants in schools or developing a more active information policy for Roma parents.

Hungary should endeavour to strengthen state supervision of local authorities' efforts to organise education, for example by providing the possibility of imposing fines and other sanctions on those that practise exclusion or discrimination. This should be done by amending the relevant legislation and/or finding ways and means to ensure its proper implementation in practice. Hungary should also improve the decision-making mechanism for the granting of private pupil status, for example by involving bodies that are less closely linked to local authorities and interests.

16. Ireland

Opinion adopted on 6 October 2006

Education of Travellers

Findings of the first cycle

In its first Opinion, the Advisory Committee noted a range of challenges faced by Traveller pupils, and called for further measures to deal with rejection, racism as well as separate educational facilities experienced by Travellers. The Committee also pointed to the need to step up efforts to improve Travellers' literacy and their access to third level education as well as to address the lack of qualified teachers from the Traveller community.

Present situation

a) Positive developments

The Advisory Committee welcomes the fact that the authorities and civil society alike see progress in the educational sphere as one of the most important issues concerning Travellers, and the Ten-Year Framework Social Partnership Agreement 2006-2015, proposed in June 2006, also underlines the issue. Several promising initiatives have been launched, including in terms of facilitating Travellers' access to post-primary education, and certain concrete results are indicated, for example, in the state report and in the Second Progress Report of the Committee monitoring the implementation of the recommendations of the Task Force on the Travelling Community.

The development of a five-year Traveller Education Strategy is of great significance for future work in this sphere, and it is expected to cover all key areas of concern. It is therefore regrettable that the adoption of the Strategy, the development of which commenced already in autumn 2003, has met with repeated delays. At the same time, the Advisory Committee recognises that, parallel to the development of the Strategy, valuable data and analysis of Travellers' educational status and needs have been prepared, and it wishes to highlight in particular the in-depth Survey of Traveller Education Provision in Irish Schools, issued by the Inspectorate of the Department of Education and Science in 2006.

The Advisory Committee welcomes the publication of guidelines on intercultural education, prepared for primary schools by the National Council for Curriculum and Assessment in 2005, and it hopes that the guidelines will constitute an integral element of teacher training materials and that they will be regularly consulted by practicing teachers.

b) Outstanding issues

Despite the measures introduced, the educational situation of Travellers remains disconcerting. The above-mentioned survey shows that the Travellers' average school attendance and achievement levels are low in comparison with pupils generally and in some cases negative societal attitudes towards Travellers are felt also in schools.

The Advisory Committee appreciates the fact that the Government has now adopted a policy of integrating Travellers in schools with majority population, and it urges the authorities to complete its on-going process of phasing out Travellers-only primary schools.

The Advisory Committee stresses, however, that the risk of isolation and separation of Traveller pupils exists also in "regular" schools, in some cases stirred by negative attitudes amongst parents of majority children. In some schools, there is a tendency to give Traveller children unchallenging tasks and "resource teacher" support merely on the basis of their Traveller affiliation. Risks of undue isolation exist also at the enrolment stage: While there are positive enrolment practices, interviews conducted in the context of the above-mentioned Survey suggest that some schools do not welcome Traveller children but refer them to another school, known to have enrolled a number of other Travellers. The Advisory Committee also stresses that the specific adult education programmes, such as Senior Traveller Training Centres, which are intended for adult Travellers, should be designed so that they do not encourage young Travellers to leave secondary level mainstream education.

Recommendations

The pending Traveller Education Strategy, with an implementation plan, should be issued as rapidly as possible and given resolute follow-up at all levels of education, including in terms of resources and appropriate awareness-raising, which should be pursued among all actors concerned, involving also persons belonging to the majority in the communities concerned. Enhanced support should be made available for community development work of Traveller organisations in recognition of its positive education implications. The Advisory Committee urges the authorities to combat any practices that may contribute to isolation or separation of

Traveller pupils and make sure that there is no direct or indirect anti-Traveller bias in enrolment processes, in the formation of study groups or in any other aspects of education.

Denominational schools

Present situation

The Advisory Committee has received detailed information from non-governmental sources on the way in which the limited number of non-denominational or multi-denominational schools in Ireland – where an overwhelming majority of schools are run by Catholic bodies – can complicate efforts to find a school that would adequately take into account the cultural or religious background of non-Catholic minority children. The Advisory Committee welcomes the fact that the Irish authorities are paying increasing attention to the issue and that there is a commitment to step up support for expanding the network of non-denominational or multi-denominational schools. This has already resulted in the establishment of a number of new multi-denominational primary schools in recent years, although progress in this respect still appears to lag behind growing demand.

The Advisory Committee stresses that, in addition to widening the non-denominational and multi-denominational school network, there is a legal obligation to ensure that, in denominational schools, there is a possibility to opt out of religious instruction. It is important that this possibility is offered and organised in a manner that does not unduly single out the pupils concerned. The Advisory Committee further recalls that the above issues are likely to only increase in importance as the religious and cultural diversity of the country expands further.

Recommendations

The Advisory Committee urges the authorities to pursue their commitment to widen schooling options, including in terms of non-denominational and multi-denominational schools, in a manner that ensures that the school system reflects the growing cultural and religious diversity of the country.

17. Italy

Opinion adopted on 24 February 2005

Teacher training and access to textbooks

Findings of the first cycle

In its first Opinion, the Advisory Committee welcomed the scope provided by Law 482/99 for fostering study of the languages and cultural traditions of historical linguistic minorities and expressed the hope that the authorities would take full advantage of this law to increase the multi-cultural and multi-ethnic component of school curricula and to facilitate the purchase and/or publication of related schoolbooks.

a) positive developments

A number of school projects have been supported at pre-school, elementary and lower secondary school levels on the basis of articles 4 and 5 of Law 482/99. The number of such projects increased from 47 in 2002 to 120 in 2004. This is a positive trend, bearing in mind that the minorities themselves take the view that strengthening the presence of minority languages and cultures in the school curricula is a precondition for maintaining and developing their identity.

b) outstanding issues

Given the strong interest shown in the educational projects for minorities by those concerned, as evidenced by the rise in the number of projects eligible for funds, there may be a need to

reconsider in the future the somewhat rigid funding mechanism created by Law 482/99 so that it would better accommodate the growing importance of the educational sector (see related comments and recommendation under article 5 above).

The representatives of some minorities have indicated that there would be a need to intensify teacher training measures and give greater support for the preparation of textbooks and other pedagogical instruments. This is particularly the case for those minorities which do not enjoy the support of a “kin State”, like the Friulans. It is also the case for small groups like the old German-speaking community of Timau, in Friuli-Venezia Giulia, who speak an archaic form of German that significantly differs from standard German.

Recommendations

Further steps should be taken to ensure an adequate level of teacher training and the publication of textbooks in minority languages. In doing so, Italy should pay particular attention to those minorities that have no access to support by a “kin State”.

Education of Roma children

Findings of the first cycle

In its first Opinion, the Advisory Committee noted the disproportionately high level of school absenteeism among Roma, Sinti and Traveller pupils and pointed to the need to address the various causes of this state of affairs. The Advisory Committee also encouraged the authorities to better take into account the language and culture of the Roma, Sinti and Travellers in public education.

a) Positive developments

Some commendable initiatives, which are often implemented by NGOs and/or social workers, have been taken to ensure better access of Roma, Sinti and Traveller’s children to schools. Such initiatives, which include the organisation of public transportation of pupils to schools and the introduction of cultural mediators, are frequently supported from the municipal authorities.

b) outstanding issues

Roma, Sinti and Traveller children continue to face serious obstacles in their equal access to education. Attendance at compulsory school is often irregular and they are poorly represented at higher levels of education. This is largely due to their precarious living conditions and, more generally, to the fact that the placement of Roma, Sinti and Travellers in isolated camps is still considered the model to follow by many authorities. Initiatives taken so far by the Italian authorities, such as steps to adapt the content of education to a multicultural reality or the introduction of cultural mediators, have produced limited results, mainly due to the absence of a comprehensive strategy of integration at national level aimed at improving their situation in various fields of life (see related comments under article 4 above). In its comments on the first Opinion, the Government indeed recalled the difficulty to find Roma or Sinti language teachers and stressed that equal access to education remained the priority in its action in favour of these persons.

Recommendations

Italy should step up its efforts to ensure that Roma, Sinti and Traveller pupils attend school on a regular basis and reinforce the visibility of their culture in the school curricula as part of a comprehensive strategy of integration.

18. Kosovo*¹*Opinion adopted on 5 November 2009***Inter-ethnic interaction in education***Findings of the first cycle*

In its first Opinion, the Advisory Committee found that the possibility for Serbian and Albanian pupils to interact in the context of the school system was non-existent. The Advisory Committee called on the authorities to design a comprehensive plan to create opportunities for interaction between pupils from the communities and take measures aimed at reducing the demand for a parallel educational system.

*Present situation**Outstanding issues*

The Advisory Committee notes that the ‘parallel educational system’ continues to exist, in particular in the areas where persons belonging to the Serbian community live in substantial numbers, and in Northern Kosovo*. According to information received by the Advisory Committee, pupils from both majority and minority communities, in particular the Serbian and Albanian communities, rarely meet. The interaction between the Roma, Ashkali and Egyptian communities and other communities is also limited. Even more worrying is the fact that, in areas where they have a possibility to meet, it would appear that they are given very limited opportunities to do so. The Advisory Committee considers that this situation is not conducive to the establishment of an integrated and cohesive society and that, on the contrary, it perpetuates divisions between the communities. The Advisory Committee has not been informed of any tangible initiatives, such as pilot projects, or a comprehensive strategy for intercultural and multicultural education or measures aimed at facilitating contacts between pupils from different communities.

The lack of adequate knowledge of the Albanian and/or Serbian languages amongst the respective communities contributes to their very limited interaction. This is particularly relevant for the young generation. While integration can be facilitated if pupils belonging to both communities master each others language, it appears that it is no longer compulsory for the Albanian pupils to learn the Serbian language. There is therefore a need to provide the Serbian community with the opportunity to learn Albanian and for Albanian pupils to learn Serbian.

Recommendations

The Advisory Committee urges the authorities to step up their efforts to implement initiatives promoting interaction between pupils from different linguistic communities, in particular the Serbian and Albanian ones. A comprehensive and realistic strategy needs to be designed, in consultation with all relevant communities, with a view to removing barriers, including linguistic ones, to interaction between pupils from different communities. The relevance of bilingual education models should be assessed with a view to their adequate implementation, where appropriate.

Intercultural content of education*Findings of the first cycle*

In its first Opinion, the Advisory Committee noted the importance of including the contribution of all communities to the Kosovo* society into school textbooks and encouraged the competent

¹ All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

authorities to ensure that teaching comprises multicultural elements reflecting the diversity of society in Kosovo*.

Present situation

a) Positive developments

The Advisory Committee welcomes legislation providing for a multicultural content in curricula. In particular, the Law on Communities stipulates that curricula covers the history, culture and other attributes of communities traditionally present in Kosovo*. Moreover, within the on-going history teaching reform, the authorities envisage creating new curricula and history textbooks. It is also commendable that an independent commission has been set up to improve the curriculum in the Serbian language. The Advisory Committee takes note of the authorities' involvement in the Council of Europe and the European Commission Joint Programme, the aim of which is to set up sustainable conditions for strengthening intercultural understanding among all communities in Kosovo*.

b) Outstanding issues

Schools in Kosovo* do not use the same curriculum. The majority community as well as persons belonging to certain minority communities, follow the Kosovo*-wide curriculum developed by the Ministry of Education, Science and Technology (MEST). In the meantime, all subjects taught in 'the parallel education system' follow the curriculum developed in Serbia. As a result, history is interpreted and the communities portrayed differently according to the curriculum followed. It is regrettable that the aforementioned commission has not yet started its work. The Advisory Committee therefore expects that the issue of the curriculum in the Serbian language will be resolved in a speedy manner.

Information received by the Advisory Committee suggests that textbooks in use on the basis of the Kosovo*-wide curriculum insufficiently reflect the specific features and history of some minority communities, such as the Bosniac, Roma, Ashkali and Egyptian ones. No mention of cultural, language and identity specificities of the Roma, Ashkali and Egyptian communities is made in the school textbooks. Some textbooks for education in the Turkish and Bosnian languages have been imported from Turkey and Bosnia and Herzegovina, respectively. As a consequence, they do not always reflect appropriately the diversity and specificity of society in Kosovo*.

The Advisory Committee is aware of the major challenges relating to history teaching in post-conflict and still ethnically divided societies. It considers, however, that more efforts should be made by the authorities to provide an objective and balanced environment for history teaching, in consultation with experts from the minority communities. This implies, *inter alia*, the production of new textbooks, training of history and social science teachers, as well as of authors of textbooks.

Recommendations

The Advisory Committee urges the authorities to step up their efforts to develop, in consultation with persons belonging to minority communities, objective and balanced curricula and history textbooks and to include the perspectives of minority communities.

The Advisory Committee calls upon the authorities to take resolute steps to promote knowledge and understanding of minority communities through education. Textbooks and teaching materials should pay adequate and accurate attention to the cultures and identities of the different communities, including the numerically smaller ones, and teaching staff should receive training adapted to the goals of multicultural and intercultural education.

Situation of Roma, Ashkali and Egyptians in education

Findings of the first cycle

In its first Opinion, the Advisory Committee identified a number of difficulties faced by the Roma, Ashkali and Egyptian pupils in the field of education. The problems included extremely low enrolment and high drop-out rates which largely affect girls belonging to these communities. The Advisory Committee called on the authorities to take measures to address the educational needs of these persons, including by ensuring the sustainability of the programmes designed to help pupils to integrate and stay in the education system.

Present situation

a) Positive developments

The Advisory Committee recognises that some efforts have been made to tackle the disturbing unsatisfactory situation of the Roma, Ashkali and Egyptians in the field of education. For example, the Strategy for the Integration of Roma, Ashkali and Egyptians in Kosovo* envisages concrete measures to be implemented by MEST in the field of primary and higher education. Moreover, a specific strategy has been developed by MEST in the Education Component of the Strategy for Integration of these communities, covering the period between 2007 and 2017.

Some initiatives have been taken to increase the low level of enrolment of pupils from these communities. The Ministry of Return and Communities has granted scholarships to some students having enrolled in secondary education. The Advisory Committee also welcomes the programmes implemented mainly by non-governmental organisations to tackle the high drop-out rates by running catch-up classes.

b) Outstanding issues

In spite of the aforementioned efforts, the Roma, Ashkali and Egyptians continue to face severe difficulties in access to quality education. The Advisory Committee is deeply concerned by the low level of attendance in educational establishments at all levels which particularly affects girls belonging to these communities. The lack of kindergartens contributes to the low enrolment in pre-school education amongst these economically disadvantaged communities. Explanations given to the Advisory Committee for the high drop-outs include failure in the entrance exams and the absence of support measures, such as reserved places, for accessing secondary education. There are only few Roma, Ashkali and Egyptians studying in higher educational institutions. Teachers often lack qualifications and specific training to work in educational facilities attended by persons belonging to the Roma, Ashkali and Egyptian communities. As a consequence, the illiteracy rate is much higher amongst the Roma in comparison with the majority population. Criticism has been voiced concerning insufficient support provided by the authorities to implement the strategies aiming at improving the situation of disadvantaged pupils. Most educational programmes have been so far run by non-governmental and international organisations.

Given that no curriculum has yet been developed in the Romani language, pupils belonging to the Roma community attend school with Albanian, Bosnian, Serbian or Turkish as the languages of instruction. The integration of the forced and voluntary returnee children belonging to these communities into the education system also seems problematic considering that many of them do not master the languages of instruction. In this context, the Advisory Committee draws the attention of the authorities to the Curriculum Framework for Romani developed by the Council of Europe.

Recommendations

The Advisory Committee urges the authorities to take resolute steps to facilitate the access to education at all levels of pupils belonging to the Roma, Ashkali and Egyptian communities,

including by allocating sufficient financial and other resources for the implementation of the strategies developed in this field. In particular, measures should be taken to tackle their low enrolment and high drop-out.

The authorities should provide specific training to teachers working in schools predominantly attended by pupils belonging to the Ashkali, Roma and Egyptian communities. Opportunities for pupils belonging to minority communities wishing to learn the Romani language should be increased. Due attention should be paid to the Council of Europe Recommendation on the education of Roma and Travellers in Europe in this context.

Prompt attention should be paid by the authorities to ensuring the integration of children of forced and voluntary returnees belonging to the Ashkali, Roma and Egyptian communities into the educational system in Kosovo*.

Access to higher education

Findings of the first cycle

In its first Opinion, the Advisory Committee noted that the higher education system did not meet the needs of certain minority communities, especially Serbs and Bosniacs, and recommended that authorities take steps to remedy this situation.

Present situation

a) Positive developments

The Advisory Committee notes with satisfaction that some higher education establishments provide for education in the Turkish and Bosnian languages. The number of students of the Bosniac community appears to have increased lately.

Students belonging to some minority communities continue to have the possibility to enrol in the Prishtinë/Priština University through a system of quotas. The minority community students can sit the entrance exams in their minority language and subsequently benefit from the adapted exams providing for lower requirements in the Albanian language.

b) Outstanding issues

The Advisory Committee notes that a considerable number of young persons belonging to minority communities, such as Serbs and Turks, leave Kosovo* to pursue their higher education elsewhere. The reasons for this situation are numerous, including the low quality of higher education available in Kosovo*. Unlike other minority communities, there are no quotas provided to the Serbian community at Prishtinë/Priština University. Students belonging to the Serbian community enrol at the University of Mitrovicë/Mitrovica managed by the Serbian Ministry of Education, if they wish to study in Kosovo*. The Advisory Committee is concerned about this situation which leads to a brain-drain of young educated people from Kosovo*. In this context, the Advisory Committee recalls the obligation, under Article 12 of the Framework Convention, to promote equal opportunities for access to quality education at all levels of persons belonging to minority communities.

Recommendations

The Advisory Committee calls upon the authorities to provide equal opportunities for access to quality higher education for all, including persons belonging to minority communities. Specific measures should be taken to tackle the issue of the brain-drain of young people belonging to minority communities.

19. Latvia

Opinion adopted on 18 June 2013

Article 12 of the Framework Convention

Equal access to education and intercultural content

Findings of the first cycle

In its first Opinion, the Advisory Committee welcomed steps taken to provide national minorities with access to quality education but found that the availability of minority language instruction was diminishing and that there was a shortage of qualified teaching staff and adequate educational resources for bilingual education. It further considered that educational material and contents could better reflect the diversity of Latvian society and invited the authorities to strengthen their efforts in this regard.

Present situation

a) Positive developments

The Advisory Committee welcomes the inclusion of intercultural and civic education content in the general curricula of all schools, as well as in the obligatory part of professional development courses for teachers. It further welcomes the continued functioning of the Advisory Council on National Minority Education Issues, which meets regularly and ensures that the views and concerns of national minority communities are taken into account during relevant decision-making processes. Moreover, the Advisory Committee is pleased to note the adoption by the Ministry of Education and Science of an action plan for the enhancement of social cohesion in the education area (2012–2014) which envisages joint NGO activities and school exchanges in addition to promoting a supportive and inclusive social environment for diversity and “access and flexibility” in Latvian language learning. The Advisory Committee commends this initiative and expects that it will be implemented in close consultation with national minority representatives, as foreseen, to “encourage and promote trust between the State and people of Latvia and between the people of Latvia themselves”.

The Advisory Committee further notes with interest a first bilingual class opening in Riga as a pilot project initiated by Riga City Council. Children whose native languages are Latvian and Russian study together in one class, following respectively the programme of schools with Latvian language of instruction and the programme of minority language schools. The Advisory Committee welcomes this initiative as it considers bilingual education in principle not only to constitute an effective language learning method but also an efficient tool to promote intercultural understanding and interaction, which can help overcome division in society if using appropriate methodology. As regards Roma, the Advisory Committee is pleased to note that the use of trained teaching assistants in a number of relevant schools was overall evaluated as very successful in improving the academic achievement of Roma children. It further welcomes the fact that the Integration Guidelines and Action Plan include additional support activities to raise the educational attainment of Roma. In this context, the Ministry of Education and Science is also in the process of developing a Social Cohesion Action Plan for Roma (2014-2020). According to officials, the allocation of approximately 700 000 EUR is being discussed, among others for the increased use of teaching assistants in schools where Roma children attend, and the provision of additional support for education material.

b) Outstanding issues

Overall, the Advisory Committee notes that the Latvian education system is still marked by division into two main socio-linguistic groups, as children follow either the Latvian language programme or a minority language programme, mainly Russian. The 2004 education reform introduced the obligatory use of Latvian as language of instruction in 60% of subjects at minority language secondary schools. While the number of students wishing to study bilingually has increased, the overall attitude among minority communities towards the reform is still negative and the improved language skills seem not to have translated into closer relations among the two language groups. Some research suggests that highly skilled minority youth tend to leave Latvia and go to Russia for post-graduate degrees as the overall negative public discourse surrounding language, which has been exacerbated by the education reform, drives

them away. The Advisory Committee considers that more efforts are required to develop an integrated education system that combines adequate opportunities for effective and high-quality minority language learning with official language proficiency while promoting social integration and interaction among pupils from different backgrounds. It notes with interest in this regard the increased use of dual-stream schools, which provide education to different language groups in one school, thereby offering opportunities for exchanges and joint extracurricular activities. The appropriate use of bilingual and multilingual education methods could further respond to the increased interest among young Latvians to improve their Russian language skills to further their opportunities in the labour market.

The Advisory Committee notes with regret reports from minority representatives that teachers are often still insufficiently trained to teach in diverse classrooms and that only few activities or school projects are undertaken to increase levels of tolerance or mutual understanding between different language groups, even at dual-stream schools where all children attend the same premises. The Advisory Committee further regrets that no independent review of textbooks and other education material has been undertaken to ensure that the content is not offensive to particular minority communities and does not contain inappropriate language. The Advisory Committee reiterates in this context the particular importance of adequate methodology to promote the understanding of multiple perspectives in the teaching of history. It further notes that the quantity of available textbooks for minority language teaching is considered insufficient by teachers in most minority language schools, particularly as regards the languages of numerically smaller minorities, and that a considerable number of schools continues to rely for education material on donations from Embassies. The Advisory Committee considers that more efforts must be made to provide minority language schools with adequate quantity and quality of education materials, and underlines the particular importance of continued pedagogical training for minority language teachers, including as regards bilingual and inter-cultural teaching methodologies. In addition, efforts must be made to ensure that adequate training opportunities are made available for minority language teachers to ensure that instruction in lesser-used minority languages is not limited only to philological subjects.

While the vast majority of Roma children study in general schools, the Advisory Committee regrets to note that 17% attend special educational establishments such as correctional programmes of boarding schools or special classes in general education schools. In addition, 26 children are enrolled in Roma ethnic classes in Kuldīga Primary School in the school year 2012/2013 and some 70 children attend Roma ethnic classes in Ventspils Evening School. The Advisory Committee reiterates its established opinion that such segregated education of Roma raises serious issues of compatibility with Articles 12 and 4 of the Framework Convention and should be discontinued immediately. It welcomes in this context a call by the Ombudsman in March 2013 to abolish Roma segregation at Ventspils Evening School. The Advisory Committee is further concerned by reports that of the 20 teaching assistants who were trained, only a few have received government funding to work in schools or kindergartens since. It considers that the practice of engaging teaching assistants to accompany Roma children, where necessary, in their studies at general education establishments should be enhanced and appropriately funded, especially as available information shows that irregular attendance and early drop-out remain important barriers to education.

Recommendations

The Advisory Committee urges the authorities to further enhance the intercultural content of education at all schools, including through the introduction of integrated and multilingual education methodologies and the promotion of a supportive environment for diversity, as envisaged in the Social Cohesion Plan, including as regards the teaching of history.

The Advisory Committee further calls on the authorities to ensure that education material in sufficient quantity and quality is available in minority language schools and teachers are adequately trained, including as regards the teaching of non-philological subjects in minority languages.

The Advisory Committee calls on the authorities to ensure that segregated education for Roma children is discontinued immediately and that adequate support and funding is made available for measures aimed at improving their performance at school, including through the employment of teaching assistants.

20. Lithuania

Opinion adopted on 27 February 2008

Equal opportunities in access to education for persons belonging to national minorities. Education and intercultural dialogue

Findings of the first cycle

In its first Opinion, the Advisory Committee encouraged the authorities to ensure that the rights in respect of education of persons belonging to national minorities were governed by coherent and unified legal texts.

More generally speaking, the Advisory Committee encouraged the authorities to ensure that the new law on education, under examination at the time of its first Opinion, would not restrict the educational opportunities open to national minorities. More resolute efforts were recommended to improve the situation of Roma in this field.

Current situation

a) Positive developments

The Advisory Committee notes with satisfaction that the authorities have continued their efforts to create a legal framework and practical conditions conducive to the maintenance of adequate educational opportunities for persons belonging to national minorities. It notes that a new Law on Education came into force in 2003, Article 5 of which guarantees equal access for all persons to education, irrespective of their gender, race, nationality, language, origin, social status, religion, convictions or beliefs. Furthermore, it establishes the legal framework for education in the languages of national minorities, as well as for the learning of the mother tongue by persons belonging to minorities.

In accordance with Article 28 of the Law, local authorities must, in those places where persons belonging to a national minority traditionally form a substantial part of the population, and at the request of the community concerned, ensure that it is possible for these persons to receive an education in their language. Article 30 defines the practical arrangements enabling such an education to be enjoyed in the publicly-managed schools concerned, at primary and secondary levels. It also provides for the possibility of taking additional lessons to learn the mother tongue, from pre-school level onwards, in those publicly-managed schools where lessons are taught in another language, where a genuine need is found to exist and a specialist in the language concerned is available.

The Advisory Committee welcomes the fact that the National Education Strategy for 2003-2012, adopted by the Parliament of Lithuania in July 2003, provides for, among other priority measures, the creation of appropriate conditions for the education of national minorities, and greater attention to the educational needs of the less numerous minorities. The Advisory Committee also notes that education (both for children and for adults) represents a priority of the new 2007-2010 programme of the Department for National Minorities and Lithuanians Abroad.

In the practical sphere, the Advisory Committee notes that, in recent years, thanks to the efforts of the Russian and Polish communities, textbooks for the various school subjects have been prepared and published in these communities' languages (23 in Russian and 19 in Polish). Translations of the Lithuanian textbooks in use for other subjects into these two languages are also planned.

Where the Roma are concerned, a number of positive developments deserve to be welcomed in the context of the implementation of the government programme for the integration of the Roma for the period 2000-2004. Among these are the educational activities of the Roma Community Centre for both young people, from pre-school onwards, and adults (including lessons in the State language and free access to the Internet), as well as the publication, financed by the Ministry of Education, of a first textbook for teachers of Romani.

The Advisory Committee also welcomes the efforts made by the municipality of Vilnius, including financial efforts and the provision of social assistance, with a view to better integration of Roma children into the school system. It also notes that, following an increase in demand, opportunities for adults to receive secondary-level education by distance learning have been opened up.

b) Outstanding issues

The Advisory Committee did not receive sufficient information to enable it to assess the efforts made in Lithuania in the education sphere to promote the majority population's knowledge of minorities' identity, traditions and history. The State Report did not include information about the content of textbooks and other teaching materials likely to foster mutual knowledge and intercultural dialogue between pupils belonging to the different communities.

The Advisory Committee was told of the lack of school textbooks and the fact that the funds allocated to minorities' schools were insufficient to offset the higher costs incurred on the production of textbooks for this kind of education. The Advisory Committee was also informed of a lack of qualified teachers to teach minority languages, or to teach in those languages, and of the inadequacy of training provision in this field. It nevertheless notes that the amount granted to minorities' schools in accordance with the "pupil's basket" criterion - by which funds are allocated in the Lithuanian education system - is 10% higher than the amount allotted, according to the same "pupil's basket" criterion, to other schools. According to minority representatives, significantly more resources are required to meet current needs.

Notwithstanding the measures taken by the authorities at different levels, the situation of the Roma in the education sphere remains difficult. The Advisory Committee took note with concern of reports stating that illiteracy still occurs among the Roma population. This is all the more disturbing for the fact that almost half of the Roma seem to be children and young people under the age of 20.

While progress is reported at pre-school and primary school level, problems such as late admission to school, a low level of attendance, and a high drop out rate, as well as the low level of language knowledge (of both Romani and Lithuanian), require more sustained and more appropriate efforts to be made. To this end, it is important to have reliable information available about the numbers and situation of those Roma children who are in full-time education and those who are not. The training of teachers qualified for specific work with such children and for giving them systematic support should also be given greater attention.

Although a positive trend was recorded in this respect, the Advisory Committee notes that few Roma have, in recent years, completed secondary education. According to official sources, 117 Roma children attended schools in 2007. This number is disturbingly low. This has long-term consequences for the employment prospects of Roma as the lack of schooling is closely linked to the fact that most Roma have difficulties finding adequate employment. In the long-term, education remains a top priority for this community, also being the main means of improving its employment situation and helping its members to integrate into society. While adult literacy, alongside preschool and early years education are today's first concerns, in a longer time perspective the gradual training of an intellectual elite within the Roma community could also foster the integration process (also see the comments above relating to Article 4).

Furthermore, the Advisory Committee has noted that a consistent and concerted strategy is required on the various support measures for Roma, based on an objective of genuine

integration, and not on a logic of dealing individually with the sectoral challenges facing this population.

Recommendations

The Advisory Committee considers that the authorities could examine the current system for funding the schools which provide an education intended for national minorities, and, if necessary, seek solutions enabling the needs that exist to be better met. In particular, efforts should be made to compensate for the insufficient numbers of the necessary textbooks and of teachers trained for such education.

The authorities are urged to step up their efforts to ensure better school integration of Roma children. They should also take care to coordinate these efforts with the planned measures in various fields to promote the social inclusion and socio-economic recovery of this population.

The Advisory Committee encourages the authorities to ensure that the Lithuanian education system, through its educational content and activities, fosters mutual knowledge by pupils belonging to minorities and the majority of their respective cultures, and contributes to strengthening intercultural dialogue and respect for diversity.

21. Moldova

Opinion adopted on 9 December 2004

Intercultural dimension of education

Findings of the first cycle

In its first Opinion, the Advisory Committee welcomed Moldova's efforts to protect national minorities in the field of education, despite limited resources. It further noted with satisfaction the authorities' will to promote the multicultural dimension of education and foster exchanges between the different ethnic groups through the education process.

Present situation

a) Positive developments

Moldovan pupils receive training in human rights and tolerance in civics classes (at secondary school) and get familiar with the basic principles of law (at high schools). In order to develop the multicultural dimension of education and facilitate intercultural knowledge, a literature textbook including works by writers from different ethnic groups has been produced by an Education Centre and, after being tried out in 15 schools, submitted to the Ministry of Education for approval. This textbook is later to be recommended to all Moldovan schools.

In the schools of national minorities, a subject devoted to "The people's history, culture and traditions" was introduced into the primary school curriculum from the 2002-2003 school year. Since the 2003-2004 year, this has been extended to years V to IX.

Also to be welcomed, among other projects on national minorities, is the current research on Roma history, culture and language in Interethnic Research Institutes of the Academy (see also the comments under Article 5 above). Unfortunately, representatives of the academic community report difficulties in publishing and distributing monographs and other research findings, whether on the Roma or other subjects concerning the cultures of national minorities, as a result of lack of resources and inadequate state support.

b) Outstanding issues

Information on the culture, history and traditions of national minorities remains limited in Moldovan schools, the initiatives mentioned above being recent and requiring energetic measures accompanied by adequate resources if they are to be effective.

Recommendations

In order to ensure the necessary quality of the teaching of the new subjects of study mentioned above, it is essential speedily to draw up and distribute the relevant syllabuses and methodologies, produce and/or distribute the necessary textbooks, as well as provide specific training for the teachers concerned. Bilateral co-operation and the support of international organisations are avenues to be explored to make up for the lack of resources at national level.

Special attention should also be paid to reflecting the multicultural nature of Moldovan society in the curricula and relevant textbooks of other subjects for all pupils, whether they come from the majority or national minorities. Similarly, educational, artistic and cultural activities organised in and by schools should include this intercultural dimension in order to foster mutual knowledge, closer ties and dialogue among children whatever their ethnicity.

Content of history textbooks

Findings of the first cycle

The changes in history teaching announced by the Government in late 2001 were the source of considerable tensions in Moldovan society from January 2002. In order to calm the situation, a moratorium on those measures was announced in the spring of that year. In its first Opinion, the Advisory Committee called for a balanced approach to these sensitive issues and considered it essential to consult all the parties concerned.

Present situation

a) Positive developments

Since then, the authorities have begun to prepare new history textbooks and sought the Council of Europe's co-operation in this. The intention is to include in the new books a multicultural dimension and to take a balanced approach to the country's history, while strengthening Moldova's distinct identity. A special committee has been set up by the authorities to work on the new contents and methodology to be proposed to schools. According to the information provided to the Advisory Committee, the new textbooks are ready and the authorities plan to introduce them in schools from the 2005-2006 school year.

b) Outstanding issues

According to the information made available to the Advisory Committee, the intercultural dimension is at present lacking in the history textbooks currently used in Moldovan schools. It also seems that the introduction of the new textbooks continues to be a potentially controversial issue in Moldova.

Recommendations

Drawing on the Council of Europe's experience in this area, the authorities should try to ensure that the new textbooks give a balanced picture of the country's history and contribute to the strengthening of tolerance and mutual understanding. When the new approach to history teaching is implemented, they should try to take all sensibilities into account in order to foster the preservation and strengthening of social cohesion and interethnic dialogue.

Equality of opportunity in access to education – education of Roma children

Findings of the first cycle

In its first Opinion, the Advisory Committee encouraged the authorities to ensure that all national minorities, including the numerically smaller ones and those who cannot enjoy the support of a kin-state benefit equitably from their attention in the development of education policies and curricula. The Committee of Ministers' Resolution on implementation of the

Framework Convention by Moldova stressed the need to consult representatives of national minorities in order better to understand and take into account their educational needs.

Present situation

a) positive developments

The authorities have continued their efforts to improve the situation with respect to training specialised teachers, as well as the preparation and publication of textbooks appropriate for the education of national minorities, including through bilateral co-operation with kin-states.

The authorities have recently been more receptive to concerns expressed by the Roma and have launched new initiatives to improve the situation in the field of education. The State Report details the measures taken by central and local authorities to facilitate the integration of Roma children in the school system at the various levels. These include direct socio-economic support for families as well as special initiatives, such as introducing quotas for access to higher education.

The fact that there are now about forty young Roma studying in the universities of Moldova can only be welcomed. It is to be hoped that this will have a positive impact on improving the educational situation of other Roma.

b) outstanding issues

Representatives of national minorities argue that resources so far allocated by the authorities to teacher training and textbooks are still inadequate. With respect to textbooks, it should be noted that the problem concerns the whole of the Moldovan education system as well as families, since parents rent textbooks for a fee, which is a problem in view of the difficult economic situation many of them are in.

Despite the measures mentioned above, the Roma continue to have serious difficulties in the education field. Difficult material conditions in families and the schools concerned (where the minimum conditions needed for education are lacking and children of different ages sit side-by-side, often without textbooks), the complete isolation of Roma children when they live in Roma villages far from other localities, the lack of qualified teachers and other factors are resulting in families' losing interest in education. In the absence of support measures by local authorities, the result is a large number children who do not go to school, high rates of absenteeism and underachievement at school, as well as continuing high illiteracy rates in this population. These difficulties are accentuating the marginalisation of the Roma and keeping them in a vulnerable situation in terms of effective participation in the economic, social, political and cultural life of the country, as well as in public affairs.

Recommendations

The question of textbooks and teachers trained for the education of national minorities should be dealt with as a priority. Notwithstanding the limited resources available, the authorities should try to increase their efforts in this area, including through greater use of the opportunities for obtaining international support for this purpose.

As for the Roma, it is essential to act without delay through concerted measures in the various sectors concerned (economic, health, etc) in order to deal sustainably with the roots of the problems and make it possible to ensure that Roma children enjoy equal access to education. Awareness-raising measures are also needed for both families and schools with a view to greater integration of these children in the education system.

Teaching of the State language

Findings of the first cycle

In its first Opinion, the Advisory Committee found that knowledge of the State language among persons belonging to national minorities was limited and was growing only very slowly. The authorities were encouraged to make further efforts in this respect.

Present situation

a) positive developments

Following an evaluation of the situation, Moldova has intensified its efforts to boost learning of the State language by persons belonging to national minorities, including through programmes with international support (in the form of expertise and financial assistance). In this context, dictionaries and textbooks for both children and adults have been prepared and published for the various national minorities, and specific teaching methods have been developed and implemented. Families are now more aware of the importance of the State language as a factor of cohesion and a precondition for the future socio-economic integration of their children. This explains, *inter alia*, the growing number of persons belonging to national minorities preferring the State language as the language of instruction.

b) outstanding issues

Despite these positive developments, national minorities report problems with the quality of this teaching, which, according to some sources are the result of a lack of textbooks and particularly the difficulty of finding and training teachers proficient in both languages (the State language and the minority language). In this context, the minority representatives expressed the wish for qualified teachers from their respective communities to teach the State language.

Recommendations

Moldova should examine the situation and requests of national minorities in this respect and take the necessary measures to improve the quality of the teaching, including by seeking possibilities to allocate increased resources.

22. Montenegro

Opinion adopted on 19 June 2013

Article 12 of the Framework Convention

Multicultural and intercultural education

Findings of the first cycle

In its first Opinion, the Advisory Committee noted that the possibility for local schools to devote 20% of the curriculum to the needs and interests of persons belonging to national minorities had been rarely used in practice. In this context, the Advisory Committee called on the authorities to promote the use of this provision by the local authorities in order to integrate the culture, history and language of national minorities more effectively in the school curricula.

In addition, the Advisory Committee asked the authorities to continue their efforts to revise textbooks and to address teacher training needs of persons belonging to national minorities.

Present situation

a) Positive developments

The Advisory Committee welcomes the introduction of new curricula in the field of language and literature, in particular the inclusion of elements of Serbian, Bosnian and Croatian language and literature in the language courses at the primary and secondary level. In addition the Advisory Committee notes with interest the introduction of the “Civic education” subject promoting human rights, democracy and multicultural society as a compulsory subject for all children at the primary-school level and as elective subject at the secondary-school level.

The Bureau for Education Services developed a wide range of training programmes for teachers including intercultural education at primary and secondary schools, integration of Roma children in elementary schools, culture of human rights, teaching of history of religions at primary and secondary schools.

b) Outstanding issues

While acknowledging the efforts made to promote tolerance and interethnic understanding, the Advisory Committee notes that according to various interlocutors the possibility for local schools to devote 20% of the curriculum to the needs and interests of persons belonging to national minorities continues to be rarely used.

The Advisory Committee notes further that, according to representatives of the Albanian minority the quality of translation of some textbooks from the Montenegrin into Albanian language is very poor and that lack of textbooks for some subjects hampers knowledge acquisition altogether. It was also pointed out that some textbooks, which should reflect the Albanian culture, such as the song-book for music class at the primary school level, is a poor translation of Montenegrin songs and does not reflect Albanian culture adequately.

Recommendations

The authorities should step up their efforts to ensure that good quality textbooks and manuals are available for all subjects taught in minority languages at all levels of education. Particular attention should be paid to the quality of translations of the textbooks.

The Advisory Committee invites the authorities to encourage schools to consistently use the possibility offered in the general curriculum of reflecting the identity and culture of persons belonging to national minorities.

Situation of the Roma and Egyptians*Findings of the first cycle*

In its first Opinion, the Advisory Committee noted that the specific problems encountered by the Roma had been addressed mostly in an ad hoc way with no sustainable funding available. In particular, the Advisory Committee asked the authorities to collect data on school attendance at all levels and recommended that particular attention be paid to the enrolment of Roma children in pre-school education, with adequate language support.

Furthermore, the Advisory Committee voiced its strong concern with the existence of classes which are entirely composed of Roma pupils, in particular in areas with a concentration of displaced persons from Kosovo* and called for more determined action by the authorities in order to bring the situation in line with Article 12 and the principles of Article 6 on the promotion of intercultural dialogue.

Present situation

a) Positive developments

The Advisory Committee notes with satisfaction that the number of Roma children attending school has been increasing steadily during the last decade. Whereas in the school year 2001/2002 there were 536 Roma children attending primary education, in the academic year 2012/2013, the number of Roma children in primary schools was 1 745. Notably, although the number of Roma children in high schools has been increasing too, the fact that only 78 Roma children continue their education past the primary level demonstrates that there is still an urgent need for sustained efforts in this regard.

The Advisory Committee welcomes the initiatives undertaken by the Ministry of Human and Minority Rights together with the Ministry of Education and the Roma Minority Council, to assist Roma students in the education process. These include special scholarships, dormitories, transportation and tuition support for Roma children attending secondary and tertiary education, as well as financing of Roma educational assistants and special measures entitling Roma students to enrol at the Podgorica University regardless of grades. In this context the Advisory Committee notes that there are 10 Roma students currently enrolled at the university.

Roma NGOs are actively involved through awareness raising campaigns such as “Yes to traditions, no to Traditionalism” in combating early drop-outs of Roma children from school, begging and early/forced marriages. They recognise, however, that greater involvement on the part of the law enforcement agencies and more gender-sensitive policies within the Roma strategy are required to combat these phenomena.

The Advisory Committee welcomes the information provided by Roma representatives that 300 Roma children are enrolled at a pre-school education establishment in a bilingual setting, allowing them to learn the Montenegrin language before the start of primary education.

The Advisory Committee commends the information contained in the State Report on the "Second Chance" Project implemented in 2007 and 2008 in Podgorica and Niksic, the aim of which was to train 61 illiterate adult Roma (40% women) and provide them with basic literacy and professional skills, thus increasing their chances of employment. The Advisory Committee further notes that, according to the same source, about 50% of the graduates found paid employment in various sectors of the Montenegrin economy.

b) Outstanding issues

Whilst welcoming the above measures, the Advisory Committee observes that a number of serious challenges remain and require sustained efforts on the part of the authorities. There are still some estimated 400 Roma children, mostly internally displaced, who on account of the lack of identity documents cannot attend school. The Advisory Committee has repeatedly underlined that the absence of identity documents or citizenship is not to bar the access of children to basic education. Furthermore, the Roma educational assistants, whose number is recognised by the Ministry of Education to be insufficient to meet the needs, do not have a clearly defined legal status and are employed on temporary contracts, which makes their position precarious.

The drop-out rate of Roma children remains significantly higher than the average and the number of Roma children continuing education past primary education is unacceptably low. In particular this affects Roma women, half of whom, according to Roma NGOs, between the ages of 15 and 24 are illiterate.

The primary school located in the vicinity of the Konik Camp remains de facto a segregated school, as the only children attending it belong to Roma and Egyptian communities and only

Albanian and Romani languages are spoken. Also, the kinder-garden at the Konik Camp does not teach children the Montenegrin language, thus not preparing them for primary school.

Recommendations

The Advisory Committee urges the authorities to increase their efforts to tackle the difficulties facing Roma pupils in the education system at all levels and to offer additional support for programmes in this regard. The Roma Minority Council should be involved effectively at all stages in education programmes, including their design, monitoring and evaluation.

The authorities should take measures to address urgently the outstanding matter of the Roma children not able to attend school due to the lack of identity documents.

The Advisory Committee urges the authorities, as a matter of priority, to make more sustained efforts to ensure access to pre-school facilities for all Roma children and to guarantee that the curriculum in pre-school education corresponds to the diverse needs and multi-lingual composition of the groups involved.

23. Netherlands

Opinion adopted on 20 June 2013

Articles 12 of the Framework Convention

Teacher training

Findings of the first cycle

In its first Opinion, the Advisory Committee found that arrangements had been made for Frisian language teacher training but that they were not sufficiently used and it asked the authorities to envisage further incentives for primary and secondary school teachers and to regulate teacher training in Frisian for pre-schools.

a) Positive developments

The Advisory Committee notes that teacher training for primary schools has now integrated the Frisian language education into its curriculum and that a separate programme exists for secondary schools. New programmes have also been developed by the universities in Leeuwarden/Ljouwert to improve Frisian language proficiency among teachers (at primary level about 50 teachers follow external courses every year) and institute a formal qualification to teach Frisian, in particular for trilingual teacher training (in 2014, 51 new teachers will be qualified to work in trilingual schools). The Advisory Committee also notes that the provincial authorities have made an additional grant of 100 000€ available to Frisian secondary schools for the training of Frisian teachers. Furthermore, it notes that the teaching of Frisian is now regulated by the 2010 Pre-School Act.

b) Outstanding issues

However, according to the Frisian minority, 25% of the teachers who provide Frisian language education do not have the formal qualification for the task and are disinterested in enrolling in the existing courses since they consider that Frisian represents only a minor part of their overall responsibilities. The Advisory Committee observes that the lack of suitably trained teachers has remained a serious concern among the Frisian minority for several years and underlines that this situation requires a strategic approach so as to ensure that Frisian language training becomes a sustainable profession.

Recommendation

The Advisory Committee encourages the authorities to take more resolute measures to address the lack of qualified Frisian language teachers, in close consultation with representatives of the Frisian minority including through providing adequate incentives.

24. Norway

Opinion adopted on 5 October 2006

Situation of Roma and Tater children in the field of education

Findings of the first cycle

In its first Opinion on Norway, the Advisory Committee took the view that the specific educational needs of the Romani/Taters stemming from their nomadic tradition were not sufficiently taken into account by the competent authorities, and called on the latter to take all the measures needed to remedy this situation.

Present situation

a) Positive developments

According to the authorities, further efforts have been made in recent years to improve the educational situation of the Roma and Romani/Taters and, in particular, to reduce the number of children in these groups who are outside the school system. For instance, studies have been made of the situation of these children and the difficulties they encounter, and special measures have been taken to inform schools and make them aware of their lifestyle and special needs. It would also appear that the authorities are planning to share experience with neighbouring countries in order to find appropriate solutions to these problems more rapidly.

The representatives of the local authorities and the Ministry of Education also report a more active partnership involving the various public institutions concerned (schools, local authorities, social service providers, etc.) and special measures to adapt school enrolment formalities to the constraints faced by these children. The Advisory Committee was interested to note a large-scale three-year pilot project (“The Romani/Taters - from childhood to adulthood”) launched by the Ministry of Education in 2004 in co-operation with the Association of Romani/Taters of Norway and the Dronning Mauds Minne College. The aim of the project is to devise and propose appropriate solutions to the integration problems these children face in the education system, as well as the means of promoting their specific culture more successfully in the education system.

b) Outstanding issues

Despite the initiatives mentioned above, the Roma and also, to a certain extent, the Romani/Taters, continue to report problems in obtaining access for their children to school and in the level of their children’s academic achievement in school, which remains limited. According to Roma organisations, a substantial number of Roma children still remain outside the education system, largely because of the problem of making arrangements that allow them to retain their nomadic tradition. The Advisory Committee is concerned by this situation and notes that, although there is a clear awareness of the importance of education among the families concerned, who are determined to find ways of enabling their children to take full advantage of their right to education, little progress has been reported in this respect.

According to the State Report, discussions involving the Ministry of Labour and Social Inclusion, Roma organisations and the Oslo local authorities, about the possibility of setting up a forum for Roma women and children, have been under way for some time. Such a forum would help devise educational facilities better suited to the needs of these children, thus facilitating their integration in the education system and improving their performance at school.

The Advisory Committee notes with regret that this laudable initiative has not yet borne fruit. (See also comments under Article 5 above).

Recommendation

The Advisory Committee encourages the authorities to continue with the initiatives already under way to improve the integration and schooling of Roma and Tater children and to devise and implement, in co-operation with those concerned, new measures and solutions to the problems that still exist in this area.

Multicultural and intercultural dimension of education

Findings of the first cycle

In its first Opinion on Norway, the Advisory Committee, noting that school textbooks did not contain appropriate information about the national minorities living in Norway, encouraged the authorities to monitor the situation in this respect and remedy the shortcomings ascertained. The Advisory Committee also suggested the authorities pursue their research projects on national minorities, including the smaller minorities.

Present situation

a) Positive developments

The Advisory Committee took note with interest of the project, mentioned in the Norwegian Government's comments, to produce a White Paper on the improvement of the teaching of culture, including the cultures of national minorities, in Norwegian schools. It observes that, according to the State Report, new syllabuses are being prepared for all school subjects that should include general information about national minorities.

The Advisory Committee was also informed that large-scale linguistic and literary research projects are being carried out at the University of Tromsø on the language of the Kvens and this community's specific culture (see also the comments under Article 5 and 10 above).

b) Outstanding issues

Despite the fact that school textbooks and teaching materials for the various subjects include general information about diversity, information specifically concerning national minorities is still limited, as are studies and research on these minorities. The Advisory Committee noted that the new syllabuses will be prepared at local level and hopes this will make it possible to provide a better reflection of the multicultural nature of Norwegian society. It also considers that the resulting educational content and educational activities should allow for intercultural exchanges between children belonging to the different groups, national minorities and the Sami included.

The Advisory Committee is aware that, for historical reasons, among the persons belonging to national minorities, the Romani/Taters in particular sometimes still have misgivings about the idea of having attention drawn to specific features of their identity in the school system, whether through the content of the curriculum and school textbooks or in contacts with other groups. According to the explanations provided by government representatives, despite a number of efforts by the authorities in recent years, these people consider that their public image continues to suffer from the stigmas of the past and tend to be wary of any measures to foster integration or cultural exchanges.

Recommendation

The Advisory Committee encourages the authorities to maintain and further develop the initiatives under way to improve mutual understanding and enable intercultural exchanges through education. It is essential here to take due account of the situation, sensibilities and special needs of certain groups, such as the Romani/Taters, and to involve their representatives systematically in decision-making. Particular attention should be paid to awareness-raising and specific training of teachers working in multicultural environments.

25. Poland

Opinion adopted on 20 March 2009

Intercultural dimension of education

Findings of the first cycle

In its first Opinion, the Advisory Committee recommended that the authorities should take further steps to increase the multicultural content of the school curriculum which all too often seemed to present Poland as an ethnically and linguistically homogeneous country.

Present situation

a) Positive developments

The current school curricula for pupils of all ages, introduced by the Regulation of the Minister of Education and Sport of 26 February 2002, set up a module on regional education and regional cultural heritage, which is taught in the framework of courses on literature, history, civic education, geography and art. This module aims to raise awareness of pupils to the historical, social and cultural aspects of the role of national minorities and their contribution to Polish society. An overwhelming majority of schools in Poland organise every year in May a "European Day" to celebrate multiculturalism and the diversity of cultural heritage of the European Union states. The Advisory Committee welcomes these initiatives which raise public awareness of national minorities and of their rich cultural heritage.

b) Outstanding issues

The Advisory Committee notes that in the current school curricula teaching of the history, culture and traditions of national minorities and their contribution to Polish society is a non-compulsory subject introduced on an *ad-hoc* basis in the framework of the module on regional education. This approach does not guarantee that even basic information on the history, culture and traditions of national minorities will be taught to all students in Poland.

Recommendation

The authorities should review the existing textbooks and the compulsory curriculum in consultation with minority representatives, with a view to ensuring a better reflection of the history, culture and traditions of national minorities.

Roma children in schools

Findings of the first cycle

The Advisory Committee found that the situation regarding the education of the Roma, and in particular the maintenance of "Roma classes" which were not designed specifically to develop the Roma language and culture, but rather appeared to perpetuate a form of separation, gave rise to deep concern. The Advisory Committee considered that the objective of the authorities should be to integrate Roma pupils into mainstream classes and to increase support for pre-school education for Roma children.

Present situation

a) Positive developments

The Advisory Committee notes that the stated policy of the Polish authorities is to eliminate all remaining "Roma classes" and to integrate all Roma pupils into mainstream education. Significant progress has been achieved in this field, in particular through the introduction of Roma educational assistants and scholarships specifically earmarked for Roma students. Financial support has been earmarked for supplying Roma pupils with textbooks, school accessories, tickets for transport and accident insurance.

These measures, undertaken first in the framework of the Pilot Programme for the Roma Community in the Małopolskie Region in 2001-2003, followed by the country-wide ten-year Programme for the Roma Community in 2003-2013 led to a higher attendance rate, lower drop-out rate and better academic achievement results.

b) Outstanding issues

Various sources, including the Roma minority representatives, indicated to the Advisory Committee that the knowledge of Roma history, culture and traditions among teachers remains low. Also, according to the same sources, no efforts are made to teach majority students about the Roma and their contribution to Polish society. The lack of awareness of the Roma presence and of the contribution of Roma to society as a whole can lead to a prejudiced and stereotypical portrayal of its members, which consequently hinders the successful integration of Roma into mainstream society.

The Advisory Committee notes with deep concern that cases of discrimination, and the lack of any reaction at the local level, point to a disturbing complacency and condoning of discrimination within some groups in society. One example is the segregation of Roma pupils reported in the Maszkowice Primary School where they were required to use a separate entry to the building (see related comment under Article 4 above, paragraph 60).

Recommendations

The authorities should take without delay specific measures to eliminate all separate “Roma classes” and to integrate Roma pupils into mainstream education. The situation at all levels should be closely monitored in order to avoid segregation based on ethnic affiliation.

The Advisory Committee calls on the authorities to make more sustained efforts to promote the Roma language, culture and traditions, and to portray a more positive image of Roma identity among other children, families and teachers.

26. Portugal

Opinion adopted on 5 November 2009

Roma in the educational system

Findings of the first cycle

In its first Opinion, the Advisory Committee encouraged the authorities to step up their efforts to promote intercultural learning in the educational system, including by making textbooks more sensitive to ethnic diversity and by introducing further teacher training in this respect.

The Advisory Committee also expressed deep concern about reported cases of exclusion of Roma children from classes and schools or of placing them in separate classes.

Present situation

a) Positive developments

The Advisory Committee notes with interest that the ACIDI, in co-operation with the Ministry of Education, has carried out in 2007 a study of existing good practices in the field of teaching as far as Roma pupils are concerned. The study was aimed at identifying models that can be adapted to different situations. Moreover, the Advisory Committee welcomes the launching of an initiative by the Office for the Support of the Roma Communities within the ACIDI (GACI, see remarks in respect of Article 15 below) to improve training of teachers working with Roma pupils and to introduce in textbooks information on the history and culture of the Roma.

Information provided to the Advisory Committee indicates that since it has been introduced, the social integration income has had positive effects on enrolment rates of Roma pupils at school.

b) Outstanding issues

The Advisory Committee notes with concern that Roma pupils continue to face serious difficulties in the educational system: low participation and enrolment rates (especially at the level of pre-school education), lower achievement than other pupils, higher drop-out rates, especially of girls, and higher rates of enrolment in schools for children with special needs.

Notwithstanding the measures taken in recent years to develop intercultural teaching, the Advisory Committee understands that its application remains limited. It appears that textbooks contain very limited information on the history and culture of the Roma. Moreover, the number of teachers trained to provide intercultural teaching and to work with Roma pupils remains limited. The Advisory Committee is of the opinion that this situation is an obstacle to improving achievement for Roma pupils and to their increased integration at school.

The Advisory Committee finds it particularly worrying that Roma pupils have in some instances been placed in separate classes, sometimes located outside the premises of the schools. The Advisory Committee is informed in particular of one school in which Roma pupils are separated from the other pupils and are taught in a temporary prefabricated classroom. Moreover, in certain areas, there is a concentration of Roma pupils in some classes as a result of the high proportion of Roma in certain neighbourhoods (see remarks in respect of Article 15 below). The Advisory Committee understands the views expressed by the authorities that diverse solutions should be envisaged to fit the different needs that are expressed in each situation. However, it wishes to recall that the separation of pupils on the basis of their ethnic origin is incompatible with the principles of the Framework Convention, whose aim is to promote integration. Additionally, the fact that Roma pupils are at times placed in classes located in temporary prefabricated classrooms, or other substandard constructions, is not in line with the principles of the Framework Convention, including the principle of equal opportunities for access to education at all levels, as enshrined in Article 12 of the Framework Convention.

School mediators can play an important role in finding solutions to existing problems facing both Roma pupils and their families, as well as teachers and school authorities. However, they are often underutilised and their status lacks clarity. The Advisory Committee is informed that their role is often misunderstood by school administrations and local authorities and that they are often perceived as additional teachers, who should take care of the Roma pupils, rather than as a link between the Roma families, the majority population, the school and the authorities. The Advisory Committee reiterates its view that the status and role of school mediators should be clarified in order for them to serve as an effective tool for integration.

Recommendations

The Advisory Committee urges the Portuguese authorities to put an end to practices of placing Roma pupils in separate classes. Instead, measures should be taken to promote further their integration into mainstream schools. Against this background, the role of school mediators should be promoted and their status clarified.

Further steps should be taken to develop intercultural teaching at school. It is essential to include information on Roma history, cultural heritage and language in school textbooks, as well as to provide teachers working with Roma pupils with additional training on intercultural teaching methods. The effective participation of Roma representatives in this work should be promoted.

27. Romania

Opinion adopted on 24 November 2005

Multicultural and intercultural dimension of education

Findings of the first cycle

In its first Opinion on Romania, the Advisory Committee welcomed the efforts made to improve the situation of national minorities in the educational field, and the numerous improvements noted, particularly in the teaching of minority languages. The Advisory Committee called on the authorities to review their approach to history teaching in order to reflect more fully the ethnic diversity of the country and to encourage mutual awareness and understanding.

Current situation

a) Positive developments

The Advisory Committee notes with satisfaction that aspects of the history, culture and traditions of persons belonging to national minorities are now offered as optional subjects to pupils belonging to the minorities concerned, in their mother tongue. Religion may also be taught as an optional subject in the mother tongue. A textbook on Roma history, culture and traditions has been elaborated and is available for the use of Roma children. Training courses for working with Roma children have been organised for non-Roma teachers (420 in 2004).

The Advisory Committee also appreciates the many out-of-school activities run at central level and given financial support by the Department for Interethnic Relations as well as by schools, activities meant to encourage dialogue between pupils and teachers belonging to different communities.

b) Outstanding issues

Nonetheless, the Advisory Committee remains concerned about the limited presence in the common school curricula, and in the textbooks and educational material designed for pupils belonging to the majority population, of information regarding the history and culture of the country's national minorities, even though the Education Act provides for such topics to be covered. However, the competent authorities point to recent initiatives aiming at promoting ethnic diversity more fully in history textbooks (for the current school year, for pupils in grade 10 and with effect from 2006, for those in grade 12). According to the Ministry of Education and Research, such initiatives will also apply to literature textbooks.

The Advisory Committee also notes that the Draft Law on the Status of National Minorities makes several references in Article 17 to the state's obligation to guarantee teaching of or in minority languages in separate groups, or in kindergarten, schools, separate sections or classes. The Advisory Committee is aware that teaching for national minorities has its own specific features and may involve separate teaching. However, it hopes that in the legislative process, the most appropriate approach and wording will be identified in order to promote multicultural education and to offer such forms of separate education as one possible option, and not as the only option provided for in the legislation.

Recommendation

The authorities should review the curriculum and syllabi of schools so as to adequately incorporate aspects which will enhance the country's ethnic and cultural diversity and ensure that the majority are more aware of the history and cultural identity of minorities. At the legislative level, the authorities are encouraged to promote an integrated and multicultural approach to education when addressing the right to education of persons belonging to national minorities.

Equality of opportunity in access to education – textbooks and teacher training

Findings of the first cycle

In its first Opinion on Romania, the Advisory Committee noted that the number of textbooks in minority languages and qualified teachers from certain smaller minorities continued to be insufficient. The authorities were encouraged to redouble their efforts to address this situation.

Current situation

a) Positive developments

The Advisory Committee notes that Romania has a generous legal basis which has given rise to an elaborate system of education for national minorities. It welcomes the commitment shown by the authorities to improve and consolidate this system under difficult financial circumstances, bearing in mind the rather limited proportion (around 4%) allocated to education in the national budget.

The Advisory Committee further notes that the recently introduced decentralised system of funding education, based on a standard amount per pupil, takes into consideration the fact that the costs for pupils belonging to minorities are necessarily higher. This new system, which is supposed to take better account of existing needs, is currently being introduced on an experimental basis in a number of counties in Romania.

In order to overcome the shortage of appropriate textbooks, in recent years the authorities have translated new textbooks for subjects such as maths, civics, biology, etc into minority languages. Also in preparation or under consideration are literary anthologies (in Serbian and Slovak) and textbooks covering the history of the Czech, Bulgarian, German, Hungarian, Serbian and Slovak minorities in the language of the community concerned.

The Advisory Committee notes with satisfaction that the Ministry of Education and Research is paying priority attention to the quality of education. This includes the adoption of specific regulatory provisions incorporating education quality criteria and mechanisms to monitor implementation. Although additional efforts are required to meet existing needs, it notes the training measures taken to reduce the number of unqualified or under-qualified teachers in the sector of education for national minorities.

The Draft Law on the Status of National Minorities reasserts the right to education, already acknowledged in Romanian legislation, of persons belonging to national minorities and significantly enhances participation by such persons in the taking of decisions in this field. The Advisory Committee further notes that the draft law contains very favourable provisions in the field of education, such as the obligation for the State to guarantee education in the minority language at all levels and in all forms and types of education. In view of the financial difficulties mentioned above, the Advisory Committee hopes that impact and feasibility studies have been carried out prior to the introduction of such ambitious provisions (see also relevant comments under Article 5 above).

b) Outstanding issues

Although Romanian legislation offers persons belonging to national minorities broad opportunities in access to education and in receiving an education tailored to their specific needs, a number of shortcomings remain, particularly at local level, in the implementation of this legislation.

The authorities continue to experience difficulties in providing the requisite number of textbooks in the various subjects concerned, especially for the smaller minorities. In addition, minority languages continue in some cases to be taught by unqualified staff. Over and above the high costs of producing adequate textbooks, the authorities also seem to find it difficult to motivate young people - whether they belong to national minorities or to the majority - to consider a career in teaching. The Advisory Committee is concerned by the fact that, due to the economic situation of the country, severe financial restrictions affect Romania's education

system, including the policies and measures specifically devised for national minorities. It notes that too often laudable initiatives launched in the education field depend on the existence of external financial support. More generally, the Advisory Committee notes that the plans as well as the legislation in force do not correspond to the resources available (see also comments in paragraph 142 above).

Nevertheless, the Advisory Committee has taken note of a recent Order from the Ministry of Education and Research, adopted in April 2005, authorising minorities to prepare their own textbooks in their mother tongue for various subjects, in line with the common curriculum. The Advisory Committee believes that such a solution, while it might address the problems in the short term, should not mean in the long term that the State does not have to fulfil its responsibilities and obligations in this field.

The Advisory Committee notes with concern the information provided by representatives of the Turkish minority as well as by the National Institute for Statistics regarding the high level of illiteracy among young people belonging to this community.

Recommendation

The authorities should redouble their efforts to ensure, particularly for the numerically smaller minorities, an adequate number of textbooks and qualified teachers to teach minority languages or in these languages.

Situation of the Roma

Findings of the first cycle

In its first Opinion on Romania, the Advisory Committee, noting the difficulties encountered by the Roma in the field of education, particularly absenteeism, called on the authorities to take additional measures, including socio-economic support, in order to improve the situation.

Current situation

a) Positive developments

The Advisory Committee notes with satisfaction that the Romanian authorities continue to view education of the Roma as a priority area of action. It appreciates the fact that the Ministry of Education and Research is focusing on an integrated approach for Roma children and that efforts are being made to involve Roma representatives in education programmes and projects of direct relevance to them.

At the institutional level, inspectors for Roma education have been appointed in all county school inspectorates, and Roma mediators have been appointed in schools. A Roma specialist, acknowledged by his own community, now works in the Ministry of Education and Research.

In practical terms, significant resources have been allocated to the production of textbooks for the teaching of the Roma language, culture and history, and to train an adequate number of qualified teachers from among the Roma community to teach these subjects (see observations under Article 14 below). To address the problem of absenteeism and improve conditions enabling Roma children to achieve better school results, the authorities have also made provision for socio-economic support (including the distribution of snacks at school) and taken a number of initiatives to encourage Roma families realise to pay increased attention to education.

The Advisory Committee also welcomes the active measures taken to promote Roma access to university and, more recently, upper secondary school, through the allocation of specific places reserved for the Roma (398 in over 40 universities for the 2005-2006 academic year). Despite the fact that certain failings have been reported in the practical application of these measures, designed by the authorities as a means of forming an elite among the Roma, significant results have already been noted.

Specific measures have also been taken to promote vocational education for Roma, with places reserved for them in professional training establishments. Vocational training projects, linked to traditional handicraft occupations of the Roma, have also been developed at local level.

b) Outstanding issues

Despite the above efforts, a large proportion of Roma children continue to fail at school and drop out, often as early as primary school level, or to remain outside the school system altogether. Roma representatives and other sources, while appreciating the specific education measures introduced by the authorities, consider that insufficient steps have been taken to address the socio-economic factors contributing to this situation (poverty, poor health, parents' educational level, traditions etc.). The stereotypes and negative attitudes vis-à-vis the Roma among pupils' parents and in schools are other factors limiting the effectiveness and impact of the measures adopted.

In this context, the Advisory Committee notes with concern reported attempts and occasional cases of isolation of Roma children within the education system. Nonetheless, it notes that the authorities are fully aware of this problem and it welcomes the steps already taken by the Ministry of Education and Research to tackle this phenomenon. For example, a special committee has been set up within the Ministry and a Notification, has been issued to all staff and schools concerned, defining and prohibiting segregation in its different forms and setting out specific measures to address the problem.

Recommendations

While pursuing the positive measures taken in respect of the Roma in the field of education, the authorities should step up their efforts to provide socio-economic support and raise awareness among Roma families and the rest of the population. The measures and projects launched in the sphere of vocational training should be pursued and developed further, in constant co-operation with the Roma and the local authorities concerned.

Priority attention should be given to the implementation of the measures agreed upon to put an end to the separation of Roma children in the education system and to ensure ongoing monitoring of the situation in this field.

28. Russian Federation

Opinion adopted on 11 May 2006

Textbooks and teacher training

Findings of the first cycle

In its first Opinion, the Advisory Committee urged the authorities to address shortcomings concerning the limited availability of textbooks for the teaching of minority languages.

The Advisory Committee also called for further improvements in the way in which certain minorities are portrayed in history and other textbooks.

Present situation

a) Positive developments

The continuing demand for more minority language textbooks is partly being satisfied by agreements reached between various subjects of the federation, in particular with Tatarstan, Bashkortostan and Mordovia, whose governments supply textbooks to schools in a number of regions where persons belonging to these national minorities reside.

A number of regions have developed professional development courses for teachers working in schools with an "ethno-cultural component" (see comments under paragraph 232 below), including Moscow, Karelia, Tomsk, Orenburg and Krasnodar *krai*.

The Advisory Committee welcomes the fact that the Federal Ministry of Education has recognised the problem of inappropriate depictions of certain national minorities, especially Chechens and Tatars but also Roma, in school textbooks and in October 2005, declared the need for an independent review. Certain subjects of the federation, including Sverdlovsk *oblast* and Krasnodar *krai*, have made their own efforts to improve the portrayal of minorities in history textbooks.

b) Outstanding issues

Minority language textbooks remain scarce, especially as far as the languages of minorities that do not have territorial formations are concerned, and many of the textbooks which exist are reportedly of inadequate quality, particularly as regards Roma and Armenian languages.

In 2005, following the transfer of responsibility for most education-related expenses to the subjects of the federation, the difficulties encountered by certain regions in supplying textbooks for teaching minority languages have increased. The same problem affects the supply of minority language teachers. Although courses for minority language teaching exist in a number of pedagogical universities, these are mainly concentrated in the federation's republics and generally focus on the state languages.

Despite efforts made to improve the portrayal of minorities in school textbooks in certain regions, the situation remains problematic in many others and determined action as regards this problem has still not been taken by the federal authorities in spite of their expressed intention to do so. The Advisory Committee has received information about inappropriate portrayals also of certain minority religions in textbooks.

Recommendations

In view of the transfer of financial responsibility in the area of education to the federation's constituent entities, the federal authorities should find ways of ensuring that an equitable distribution of resources for printing textbooks and training teachers is available across the federation.

The authorities are urged to proceed expeditiously with their stated plans to conduct an independent review of the depiction of national minorities in school textbooks. This review should also cover the depiction of religions.

Equal opportunities for access to education

Findings of the first cycle

In its first Opinion, the Advisory Committee encouraged the authorities to address difficulties as regards access to education faced by persons belonging to national minorities in a number of regions, particularly certain displaced populations.

The Advisory Committee was particularly concerned that certain local and regional authorities had restricted the access to education of persons without residency registration stamps and called on the authorities to address this problem without delay.

Present situation

a) Positive developments

The federal authorities have taken steps to remove restrictions found in a number of municipalities and regions as regards access to educational facilities for children whose parents do not have residency registration stamps. In March 2003, the Federal Ministry of Education sent a memorandum to the competent authorities in all the subjects of the federation, explaining that all children, irrespective of residency registration and citizenship, had to be admitted to schools. The Advisory Committee understands that the ministries and departments of education in a number of subjects have circulated the same message to schools which had encountered problems in this regard.

b) Outstanding issues

In spite of these efforts, the Advisory Committee is aware of a number of regions and municipalities where schools have continued to restrict access to children without registration, including St Petersburg, Krasnodar *krai*, Rostov, Pskov, Kaliningrad and others, although it is encouraging that the situation seems to have improved with a number of schools reversing their positions. The Advisory Committee has also received reports of similar problems experienced by the children of stateless persons, among them Roma.

The Advisory Committee is concerned about difficulties encountered by children living in remote and economically impoverished settlements, whose parents cannot afford to transport them to school. This situation disproportionately affects persons belonging to national minorities, including a number of Roma children, such as those living in Nizhnye Oselki in the Leningrad *oblast*. Children belonging to the Dargin minority in Stavropol *krai* also face severe difficulties in this regard, as do the children of Chechen and Ingush displaced persons living in temporary accommodation in Ingushetia (see also comments under Article 5).

Recommendations

The federal authorities must step up the efforts of all actors concerned, including the Presidential Representatives in the Federal Districts and the Ministry of Justice, to bring the regional and municipal laws and practice as regards access to education in line with federal legislation on this matter.

The competent authorities must also redouble their efforts to ensure that socio-economic difficulties, which disproportionately affect persons belonging to national minorities, do not restrict children's access to education.

Multicultural and intercultural education

Present situation

The Advisory Committee notes with satisfaction that, in a number of subjects of the federation, the "regional component" of the standard school curricula (intended for all pupils), making up approximately 10-15% of classes, includes the study of the languages and cultures of ethnic groups in the region. The standard school curricula contains in addition a "school component", the content of which is determined by the respective school authorities and can also be used to set up optional classes where the language and culture of one or more national minority is taught (thereby becoming "schools with an ethno-cultural component"). This flexible system has made it possible for different types of schools, offering varying degrees and forms of minority language teaching, to function within the standard curriculum (see also comments under Article 14).

The Advisory Committee welcomes the steps taken in a number of subjects of the federation, such as Sverdlovsk *oblast*, to include tolerance and respect for human rights in the school curricula (see also comments under Article 6 above).

There is increasing awareness of the specific educational needs of the children of refugees and internally displaced persons, whose numbers are growing in many Russian cities and towns. For instance, five secondary schools in Moscow have been working jointly since 2003 with the United Nations High Commissioner for Refugees in the Russian Federation to facilitate the social, linguistic and cultural integration of refugee children.

It is for the authorities of the respective subjects of the federation to decide on the content of the "regional component", and in many cases, this part of the curricula is dedicated to the geography and history of the region without including the culture and history of minorities.

The Advisory Committee is concerned that, in spite of increased efforts in recent years, the educational system is still not adapted to cater to the needs of certain groups within the population, including the children of migrants and Roma. Reports have reached the Advisory

Committee concerning under-achievement and poor school attendance of these children in a number of subjects of the federation. According to one survey conducted in Sverdlovsk *oblast*, for instance, up to 95% of Roma in this region do not have secondary education.

In general, teachers need more training to work in multi-ethnic classes and to teach Russian as a foreign language. The preparatory classes which some regions have established for students from disadvantaged backgrounds are often of worse quality than ordinary classes and in some cases have resulted in the segregation of children belonging to certain national minorities, including the children of Meskhetian Turks in a number of schools in Krasnodar *krai* and Roma children in several schools in Perm, Arkhangelsk, Astrakhan, Leningrad *oblast* and other subjects of the federation. It is not clear whether measures are in place to facilitate the re-integration of these children into regular classes.

Recommendations

The competent authorities should promote the dissemination of knowledge of minority cultures also among children belonging to the majority population *inter alia* by including the study of the languages and cultures of national minorities within the “regional component” of the school curriculum.

Efforts are needed to train bilingual and plurilingual teachers to work in multi-cultural environments. Assistance should be provided to schools with high numbers of students from minority backgrounds to find ways of catering to the needs of these students without imposing segregated solutions.

It is essential that preparatory classes for children belonging to certain national minorities do not result in their permanent segregation.

29. Serbia

Opinion adopted on 19 March 2009

Teacher training and textbooks

Findings of the first cycle

In its first Opinion, the Advisory Committee called on the authorities to ensure that the growing privatization of the production and sale of textbooks does not harm the affordability of textbooks published in minority languages.

The Advisory Committee found that additional efforts were needed to address the various shortcomings in terms of the availability of qualified teachers.

Present situation

a) Positive developments

The Advisory Committee acknowledges the continuous efforts that have been made to publish additional textbooks in the languages of minorities, including in the Roma language and that some further opportunities for teacher training have been made available, notably for the Hungarian minority in the teacher training faculty of Subotica.

The Advisory Committee welcomes the positive role played by the national minority councils in preparing curricula for the subjects presenting a specific interest for national minorities, in line with Article 13 of the Law on National Minorities. Despite the fact that a national council of the Albanian minority has not yet been established, Albanian teachers of the municipalities of South Serbia have been involved in amending curricula in the Albanian language with good results in some subjects. A Roma teacher association was formed in the Province of Vojvodina and although there remains scope for improvement, the contribution of Roma assistants in facilitating communication between teachers and the Roma children has been positively assessed (see also below).

Representatives of certain national minorities, in particular the Bulgarian and Slovak minorities have reported positive examples of co-operation with the Ministry of Education in facilitating the importation of textbooks from their “kin-state”.

b) Outstanding issues

Concerns remain regarding the delays in the printing of some textbooks and their costs.

The Advisory Committee notes that textbooks imported from abroad with the approval of the Ministry of Education have caused difficulties for some national minorities, including the Albanian minority, as they are not adapted to the school curriculum of Serbia. In addition, the Advisory Committee is of the view that the content of imported books may not reflect adequately local perspectives and may also be problematic in light of the principle of inter-cultural education set out in Article 12 of the Framework Convention.

While there have been clear improvements, history and some other textbooks still do not adequately reflect minorities’ culture or contain biased information concerning certain national minorities as reported notably by the Bosniac, Albanian and Roma minorities.

The insufficient number of qualified teachers in minority languages continues to be a problem. Notwithstanding the various programmes of co-operation between Serbia and its minorities’ “kin-states” on teacher training and the existing teacher training scheme available in Serbia, representatives of some national minorities, notably the Romanian, Hungarian and Slovak minorities have expressed dissatisfaction with the fact that their proposals or initiatives regarding teacher training with the assistance of their “kin-state” have faced obstacles or have not been taken up or not even replied to by the authorities. The Advisory Committee finds that, while it is the responsibility of the State to ensure that the said initiatives correspond to domestic and international educational standards, it is important that support to national minorities in this area is not subject to any undue restrictions or obstacles and that the request made by persons belonging to national minorities is given a response. The Advisory Committee further notes that the issue of lifelong training and professional development for minority language teachers has not been given proper attention by the authorities so far.

Recommendation

The Serbian authorities should take additional measures to ensure that the availability of teacher training and textbooks adequately reflects the needs expressed by national minorities and that the related proposals made by their councils are followed-up. In so doing, the authorities should pay particular attention to the quality as well as the continuity of the training available and ensure that the textbooks’ content is suited to the Serbian school curriculum.

Situation of the Roma

Findings of the first cycle

In its first Opinion, the Advisory Committee found that Roma children are frequently placed in “special schools” designed for children with mental disabilities on the basis of tests that do not take into account the needs and culture of Roma. Given the fact that some municipalities have established specific classes for Roma, the Advisory Committee further considered that the authorities should pursue their efforts to allow the Roma children to stay in regular classes and encourage them to do so.

The Advisory Committee noted that the low school attendance and high drop-out rates amongst Roma children, especially girls, were persistent problems in terms of access of Roma to education.

The Advisory Committee also found that a specific priority area should be the elimination of barriers, including linguistic ones, that many displaced Roma from Kosovo* and Roma repatriated from abroad face in accessing education.

Present situation

a) Positive developments

The Advisory Committee welcomes the fact that both issues of desegregation and prevention of segregation have been included in the Action Plan for Roma Education. Teaching assistants have reportedly played a positive role in preventing the channelling of Roma children to “special schools”, although there remain problems with the genuine integration of these children into the education system.

The Advisory Committee welcomes the fact that the Ministry of Education and Sports issued a specific instruction to school heads to enrol children even though they do not have complete personal documentation. This is particularly important as it caused a problem both for local Roma and IDPs from Kosovo* and returnees from Western European countries. Although not monitored in practice, NGOs working in the field of education reported that primary schools have generally been quite flexible with the personal documentation requirement.

In addition some positive measures have been taken such as the provision of free textbooks for Roma children in primary education and support to the enrolment of Roma pupils in secondary education, notably through scholarships.

b) Outstanding issues

There has not been any major progress as regards the segregation of Roma in “special schools”. The Advisory Committee notes that, according to the information provided by non-governmental organisations, the practice of enrolling Roma children in “special schools” without any mental disability still occurs. The Advisory Committee recalls that the European Court of Human Rights has found that the practice of placing Roma children in “special schools” constitutes a breach of Article 14 (prohibition of discrimination) read in conjunction with Article 2 of Protocol 1 (right to education) of the European Convention of Human Rights. The Advisory Committee notes that the measures of the Decade Action Plan regarding this issue have been mostly taken on an ad hoc basis. Resistance, including among the teaching staff, as well as a lack of adequate transitory measures have not enabled the expected transfer of Roma children already in “special schools” to mainstream schools. In addition, Roma organisations have highlighted that Roma parents are not always informed of the possibility to have their children educated in a mixed environment. The Advisory Committee regrets the fact that the Serbian authorities have not launched any specific research on the extent of segregation of Roma in “special schools”. At the same time, the Advisory Committee notes with concern the information according to which the proportion of Roma students placed in “special schools” could range between 50 and 80%. The Advisory Committee finds it alarming that the insufficient level of proficiency in the Serbian language of Roma children is still frequently referred to in order to explain their misplacement in special schools.

Information received from various sources confirms that drop-out rates of Roma children are still high, especially in the second and third grades as well as a high rate of absenteeism among this group. In addition, the quality of education in classes with a high percentage of Roma children is markedly lower than in classes with a lower percentage of Roma. Discriminatory attitudes from the teaching staff and school administration persist, with a regrettably low awareness of the school inspectorate on the need to address discrimination of Roma pupils (see also Article 4 above). The Advisory Committee regrets the fact that while local authorities are given greater competences in school management under the Law on the Foundation of the Education system, there are hardly any Roma parents participating on school boards.

Pre-school education was made compulsory in 2006 in Serbia. While it could provide a useful tool for a better inclusion of Roma into the school system, its introduction during the school year 2007/2008 revealed new problems in terms of required documents which many Roma parents are unable to provide and segregation in separate classes. Preliminary data show that in the school year 2007/2008, 60% of those attending primary schools did not attend the pre-school preparatory programme or they only did so for a limited period.

While recent steps have been taken to extend the existing contracts of Roma teaching assistants, the authorities have not yet taken structural measures to make their posts sustainable and to regulate their status and recruitment. This has occasionally created resistance among the school administration to hire them.

The Advisory Committee is deeply concerned to note that Roma children displaced from Kosovo* and Roma repatriated from countries of Western Europe are still reported to be sent to Serbian language schools without any language learning support, even though they lack basic Serbian linguistic skills. As a consequence, they are unable to follow classes and the drop-out rate is reportedly high among these children. The Advisory Committee finds that such a situation needs to be remedied urgently.

Recommendations

The Advisory Committee calls on the authorities to take all the necessary measures to put an end to the persisting practice of placing Roma children in “special schools” designed for children with mental disabilities. In particular, the authorities are urged to review the placement tests for such schools by involving Roma professionals and to ensure that such placements are only done on the basis of objective and standardised tests, that duly take into account the linguistic and cultural circumstances of the Roma.

Serbia should ensure that Roma teaching assistants are fully integrated into the teaching and education structure and that there is an increased awareness about their role among the teaching staff and school administration. Increased and meaningful involvement of Roma parents in the work of the schools is also needed.

The Serbian authorities should take appropriate monitoring measures in order to ensure that all schools, including pre-schools, comply with the instructions relating to the enrolment of pupils with incomplete documentation and remove any undue administrative and other obstacles. The Advisory Committee urges the Serbian authorities to ensure, including through the adoption of relevant regulations, that Roma displaced from Kosovo* and Roma returnees from Western European countries, who lack proficiency in Serbian, are given adequate language learning support.

Recognition of diplomas

Findings of the first cycle

The Advisory Committee considered that the authorities should find appropriate and balanced solutions to the question of the non-recognition or delay in the recognition of certain diplomas from educational institutions abroad and from Kosovo*.

Present situation

a) Positive developments

The Advisory Committee welcomes the fact that in October 2008, the Serbian authorities decided to recognise diplomas from Kosovo* with UNMIK seals. This is a positive first step to enable those who graduated in Kosovo* to pursue their education and/or access employment in Serbia without any undue obstacle.

b) Outstanding issues

Representatives of national minorities, including the Romanian, Hungarian and Macedonian minorities have expressed concern at the persistent delays as well as the disproportionate requirements for obtaining the recognition by Serbia of diplomas delivered by their “kin-state”. A similar concern was expressed by representatives of the Albanian minority for those students who have graduated from the universities of Albania or “the former Yugoslav Republic of Macedonia” (see also below).

Recommendation

The Serbian authorities are encouraged to find comprehensive and adequate solutions to the issue of recognition of diplomas issued by educational institutions in Kosovo*. There is also a need to ensure that the competent Serbian educational authorities issue their recognition decisions of diplomas of other institutional establishments of the region within a reasonable time-frame.

Equal opportunities in access to higher education*Present situation*

The lack of opportunities for Albanian students in South Serbia to access higher education, especially in the Albanian language, remains a concern. This means in practice that students belonging to the Albanian minority have to move to Albania, “the former Yugoslav Republic of Macedonia” or Kosovo* to access higher education. This shortcoming is acknowledged by the Serbian authorities who are currently working on an educational plan for the Albanian minority in order to address the situation. The Advisory Committee notes in particular the plans made to open branches of the University of Niš first in Medveđa and later in Bujanovac. Both should offer education in Serbian and Albanian.

Recommendation

The Serbian authorities should pursue further their plans to provide Albanian students with adequate higher educational opportunities in Serbia, taking due account of the views expressed by representatives of the Albanian minority.

30. Slovak Republic

Opinion adopted on 26 May 2005

Segregation of Roma children in schools*Findings of the first cycle*

In its first Opinion, the Advisory Committee expressed deep concern about the reported undue placing of a high proportion of Roma children in so-called special schools designed for mentally disabled children, a practice not compatible with the Framework Convention. More generally, the Advisory Committee encouraged the Government to design and implement equal opportunities for access to education at all levels.

Present situation

a) Positive developments

The disproportionately high presence of Roma children in special schools reserved for mentally disabled children was identified as a specific problem requiring immediate action in the 2003 “Basic Positions” of the Government. The Government subsequently approved, in 2004, a Policy Concept of Integrated Education of Roma Pupils and Youth, Including the Development of Secondary and Higher Education. Implementation of this policy concept has been carried out mostly by the Ministry of Education. This has included the revision and development of the aptitude test procedure used to place children in special schools so as to eliminate their culturally biased approach, as well as the launching of experimental programmes intended to reintegrate Roma pupils attending special schools back into regular schools in selected districts and regions.

A certain number of young Roma have been recruited as teachers’ assistants to facilitate the contacts with Roma children in a number of schools, help them to cope with their language problems and stimulate their school performance. Efforts have also been made to increase the number of Roma pupils at pre-school level through the opening of so-called “zero classes” in

several primary schools. These and other positive measures have been consolidated by Act No. 408/2002 Coll. of 27 June 2002 amending Act No. 29/1984 Coll. on the system of Primary and Secondary Schools (School Act) and subsequent instructions regarding pedagogical methodology issued by the Ministry of Education.

b) Outstanding issues

Despite efforts made by the authorities, the Advisory Committee remains deeply concerned about the situation of Roma children in the field of education. Measures taken to stop the undue placing of Roma children in special schools designed for mentally disabled pupils have yielded only limited results so far. A number of the above-mentioned measures have been conceived only as experimental or pilots schemes. They have therefore not been consistently implemented over a significant period of time in all regions of Slovakia and in the various schools concerned.

The Advisory Committee finds it alarming that even where Roma children attend regular primary schools, various forms of segregation and isolation at their expense persist. Indeed, various reports and surveys conducted for example in the districts of Bardejov, Spišská Nova Ves and Prešov indicate that in many schools, Roma children account for more than 50% of the pupils and in some cases even 100%, a state of affairs which cannot be explained only by the fact that Roma reside compactly in these regions. Such schools are usually said to be of a much lower quality and perpetuate a worrying isolation of Roma children from their peers in the majority population.

Statistical data extracted *inter alia* from the 2001 census, as well as other data provided by the Government in the State Report, suggest that only limited progress is being made in improving the level of attendance of Roma children at pre-school level as well as in reducing school absenteeism, two problems that particularly affect the Roma minority and hamper their equal access to education.

Another issue that merits particular attention by the authorities is the potential impact on Roma of recent measures aimed at promoting increased decentralisation in the field of education. While the general process of administrative decentralisation seems to be largely welcomed by those concerned, including by persons belonging to national minorities, fears have been expressed that the shift of responsibility from the Ministry of Education to the municipal authorities for the funding of kindergartens may eventually lead to a reduction in the level of attendance of the Roma and other disadvantaged children. This unfortunate state of affairs might indeed be due to the poor financial situation of certain municipalities, which may be tempted to reduce their support for special measures for disadvantaged pupils and/or have difficulties to keep their kindergartens open. This element, coupled with the potential negative impact of the social reforms on the Roma, renders specific monitoring of the situation necessary and, where appropriate, the subsequent adoption of remedial measures (see related comments under Article 4 above).

Recommendations

Slovakia should step up its efforts aimed at eliminating the various forms of segregation affecting Roma in the education field. More resolute action should be taken to eliminate the undue placing of Roma children in special schools reserved for mentally disabled children as such practice is not compatible with the Framework Convention and to ensure that those children who have been subject to such a decision have the possibility to be reintegrated into the regular school system.

Successful measures to promote equal opportunities for access to education should be generalised, such as the recruitment of young Roma as teachers' assistants, and attendance of Roma children in kindergarten. In this context, care should be taken to ensure that the recent decentralisation measures do not negatively affect the situation of the Roma, including through special resources aimed to compensate the effects of this decentralisation in favour of the most vulnerable persons in areas such as pre-school education.

31. Slovenia*Opinion adopted on 26 May 2005***Intercultural dimension of education***Findings of the first cycle*

In its first Opinion on Slovenia, the Advisory Committee found a number of shortcomings regarding the availability of suitable school textbooks for the Hungarian minority and qualified teachers for the Italian minority. Problems were also noted in respect of the procedure for recognising qualifications awarded in Italy. The authorities were urged to make additional efforts in these areas, *inter alia* via bilateral action with the relevant neighbouring States.

*Present situation***a) Positive developments**

The Advisory Committee welcomes the successful implementation of interculturalism in schools operating in the “ethnically mixed areas”. It is pleased to find that the whole education system – organisation, curricula, teaching material – has been adapted, in these areas, so as to ensure equality of opportunity in access to education for persons belonging to both communities, and to bring about the necessary conditions for the preservation and affirmation of their linguistic identity. It also notes the system’s flexibility, such that the minority language can also be learned – at primary and secondary level – outside the “ethnically mixed area”, should a sufficient number of pupils request it. The Advisory Committee notes with satisfaction the low numerical criterion which is applied in this context (5 pupils).

The Advisory Committee wishes to emphasise that, as well as serving to enhance dialogue and understanding among children belonging to different communities during their schooling, the educational systems put in place in the “ethnically mixed areas” inhabited by the Hungarian and Italian minorities also contribute to better subsequent vocational and social integration.

b) Outstanding issues

The Advisory Committee notes that, notwithstanding the efforts made in this area, shortcomings continue to be reported in respect of the teaching material available. At the same time, the problem of the excessive length of time taken to recognise qualifications obtained in Hungary and Italy also remains, despite the co-operation with both countries developed by Slovenia in this area.

Recommendations

The Advisory Committee urges the authorities to step up their efforts, including financially, to make the necessary teaching material for the education of persons belonging to the Hungarian and Italian minorities available to the schools concerned.

At the same time, the authorities should take appropriate measures in order to eliminate the reported difficulties when it comes to recognizing qualifications obtained in Hungary and Italy, respectively, by persons belonging to Slovenia’s Hungarian and Italian minorities.

Equality of opportunity in access to education. Situation of the Roma.*Findings of the first cycle*

In its first Opinion on Slovenia, the Advisory Committee was concerned about the educational situation of the Roma. In particular, it expressed its concern over the unjustified placement of Roma children in so called “special” schools, which it considered to be incompatible with the Framework Convention.

The authorities were urged to continue the initiatives that had already been launched with a view to stopping the isolation of these children within the education system, and to develop other measures likely to improve their educational situation.

Present situation

a) Positive developments

The Advisory Committee notes that new measures have been taken by the authorities with a view to improving the educational situation of Roma children. It notes, for instance, that particular attention has been paid in recent years to researching and developing suitable education and training models for Roma children and their families, as part of a government-funded project. A new Strategy for the Education of Roma was also adopted in June 2004, with the aim of securing equality of opportunity in access to education and integrating them more fully into the education system. The Advisory Committee welcomes the fact that, according to the information provided by the Ministry of Education, the distinction based on the “autochthonous” criterion is not taken into account in the allocation of the relevant funds.

The following are the most notable measures included in the above-mentioned strategy: the enrolment of Roma children in pre-school education for at least 2 years prior to primary school, in order to help them learn the Slovene language as well as their mother tongue; the introduction of Roma teaching assistants; the introduction of the Roma language as an optional subject in primary schools; and the inclusion of information about Roma culture, history and identity in the curriculum. Provision is also made for specific measures with a view to raising the level of education and qualifications among Roma adults and better preparing them for the labour market.

The Advisory Committee welcomes the efforts made by Slovenia to discontinue the unjustified placement of Roma children in “special” schools or classes and notes a certain reduction in the percentage of Roma children enrolled in such schools. The criteria for sending pupils to “special” classes or schools have, in fact, been modified so as to prevent any abuses in this area. The competent authorities now favour the enrolment of Roma children in regular classes, at all levels of instruction, while making provision for specific arrangements to assist pupils in difficulty. In this context, it should be noted that a number of textbooks geared to the needs of Roma children (for the Slovene language, mathematics and the natural and social sciences) have recently been produced and published, and others are scheduled.

The Advisory Committee also notes the efforts made by the authorities to discontinue the isolation of Roma pupils in regular schools. Whereas, until the 2002/2003 school year, the regulatory framework in force laid down special rules for the establishment of Roma classes, since the 2003/2004 school year the new regulations no longer provide for the creation of classes made up exclusively of Roma children. In this connection, the Advisory Committee notes that such classes are now, reportedly, very rare.

b) Outstanding issues

The educational situation of the Roma continues to represent a challenge for the authorities. The integration of the Roma into the school system raises issues starting at the pre-school level, where, despite improvements, the number of Roma children is still low. In difficulty right from this early stage, *inter alia* as a result of their poor command of the Slovene language, many Roma children have difficulties to cope with the demands of primary school, which is where their schooling generally ends. Unfortunately, notwithstanding the measures taken by the authorities and certain positive trends, the number of Roma children pursuing secondary studies remains very low.

The authorities acknowledge that significant issues still need to be resolved, failing which it will be impossible to bring about a genuine improvement in this area. These issues include, in particular, the prevention of and combating ongoing prejudice towards the Roma among the rest

of the population, recruitment of Roma teaching staff and resolving of existing problems connected with the Roma language.

Despite the measures mentioned in paragraphs 148 and 149, it is too early at this stage for the Advisory Committee to assess the impact of the authorities' efforts to stop the practice of isolating Roma children in the education system. The Advisory Committee is still concerned about this situation, and regrets that the information provided on this subject by the authorities was limited.

The Advisory Committee understands that, although the creation of classes made up solely of Roma pupils is no longer allowed under the new regulatory framework, smaller study groups can still be set up on a temporary basis to receive additional instruction outside the normal timetable. According to some sources, the instruction offered in such study groups is nonetheless at a lower level than that offered in ordinary classes, and therefore potentially penalises the pupils concerned.

The Advisory Committee is particularly concerned, given that various sources report recent measures in the Novo Mesto region (Brseljin primary school) resulting in Roma children being taught in separate classes or study groups. The Advisory Committee regrets that it was not possible to obtain more specific information from the Government concerning the reasons behind such measures, and the efforts made to avoid resorting to them. Nevertheless, it understands from non-governmental sources that reasons relating to differences among the pupils concerned - in terms of academic ability and performance - were invoked by the local authorities in question.

At the same time, the Advisory Committee finds it regrettable that a significant proportion of children from those Roma families whose legal status has still not been regularised continue to remain outside the school system. It finds this situation unacceptable, and considers that the authorities should take immediate action to ensure that the children concerned have access to education.

Recommendations

Without further delay, the authorities should adopt an approach entailing clearer, more decisive measures to combat the unjustified isolation of Roma children in the education system, and monitor the situation at all levels to ensure that such isolation practices are not repeated.

The authorities should continue, and step up, their specific measures to assist Roma children, such as recruiting teaching staff among Roma, developing Roma teaching assistant posts, raising teacher awareness of the specific problems of Roma children and involving parents more effectively. More sustained efforts are necessary with a view to promoting the Roma language, culture and traditions, and giving other children a more positive image of Roma identity.

When study groups or other forms of separate instruction are set up, the authorities should ensure that the views of the parents and children concerned are ascertained in advance, and that these measures are not based on an ethnic criterion.

The Advisory Committee calls on the authorities to take urgent action to address the situation of children from those Roma families whose legal status has still not been regularised, so as to ensure that these children have access to schooling and to the necessary assistance to continue their education.

32. Spain

Opinion adopted on 22 February 2007

Ensuring equal access to education for Roma

Findings of the first cycle

In its first Opinion, the Advisory Committee found that, in spite of progress made in this area, equality of opportunity in access to education was still not secured for Roma, and called on the authorities to make increased efforts to remedy shortcomings.

Present situation

a) Positive developments

The Advisory Committee welcomes the progress made in achieving the full education of Roma children at primary level (according to one study, 94% of Roma children are in school at the age of 6). While there are various reasons for this improvement, the Advisory Committee notes the important contribution made by the system of Roma school mediators, set up by Autonomous Communities and Municipalities and administered jointly with Roma associations. These mediators have encouraged school attendance and improved relations between Roma families and schools.

The Advisory Committee was pleased to learn that, although Roma school attendance after primary school drops steeply in all Autonomous Communities, more and more Roma parents are beginning to recognise the value of secondary school education. According to reports received from NGOs and Roma associations, although incidents of racism and hostility in school premises have in some cases occurred, relations between Roma and non-Roma students tend to be positive, and this is helping to change the perception many Roma have of schools as hostile environments.

The Advisory Committee welcomes the introduction of provisions in the new Law on Education, adopted on 4 May 2006, aimed at improving access to education for vulnerable groups (see also section on Intercultural education below). This includes a series of measures aimed at improving interaction between students in schools (Plan para la promoción y mejora de la convivencia escolar); additional funding to support remedial classes and activities for students that require special assistance; and a considerable increase in the availability of grants and scholarships for students facing economic difficulties. Equality guarantees concerning student admission criteria in public and publicly-funded private schools have also been included in the law, which explicitly calls for measures to prevent the concentration of students from disadvantaged communities in particular public schools.

b) Outstanding issues

While noting the progress made, there are still high levels of absenteeism and lower school performance among Roma children when compared with non-Roma children. Although the only figures available to the Advisory Committee regarding Roma in primary schools date back to 2002 (these indicate that 54% of Roma children have irregular patterns of attendance and 67% achieve below average results), Roma associations and non-governmental organisations maintain that the situation has not changed. Whilst acknowledging the positive contribution of school mediators, the Advisory Committee has received complaints from Roma representatives that public authorities do not take sufficient responsibility for Roma education. More needs to be done to integrate school mediators into the school system as currently mediators tend to intervene only once problems between schools and Roma families have arisen.

The Advisory Committee is concerned about the minimal presence of Roma children in pre-school education, which is often an important prerequisite for the successful integration of Roma children in school. It also notes that more attention needs to be given to the provision of adult education programmes, given the high levels of illiteracy among adult Roma and recognising that the value adults give to education influences children and their education.

The Advisory Committee is also concerned about the reports it has received that point to an increasing concentration of Roma (and immigrant) pupils in schools that are academically poor,

due to the movement of non-Roma families out of neighbourhoods with high Roma populations. The Advisory Committee is not aware of any practical measures taken by local, regional or central authorities to stop this tendency, notwithstanding the calls made for such measures in the new Law on Education and by the Spanish Ombudsperson (see also comments under Article 6 above).

Difficulties ensuring equal access to education for Roma are much more severe at the secondary school level, particularly for Roma girls. The Advisory Committee regrets the reports it has received indicating high drop-out rates for Roma girls between primary and secondary school – a pattern which is driven in part by the wishes of Roma parents, who continue in many cases to withdraw their daughters from school after primary-level education. However, the high-drop out rate which also affects boys, suggests that other factors are also at play, including economic difficulties as well as difficulties that Roma pupils face identifying with the content of the school curriculum (see section on Intercultural education below) and seeing their studies compensated in the labour market.

NGOs working with Roma have drawn attention to the fact that, whilst the new Law on Education sets out a number of important objectives, its implementation depends largely on the actions taken at the level of Autonomous Communities, which is where most competences relating to education lie. Similarly, the law leaves it in the hands of school boards to identify the mechanisms for preventing the concentration of children from disadvantaged communities in particular schools. These school boards are made up of representatives of the government of the Autonomous Community in question, the relevant local authorities, parents, teachers, and the public and publicly-funded private schools in a given Autonomous Community.

Recommendations

The relevant authorities should take steps to provide appropriate support, including financial support, to pre-school education, school mediators and other initiatives aimed at preventing absenteeism, school drop-out and under-performance in schools. The presence of mediators should be established and developed within the school system.

The implementation of the new Law on Education by Autonomous Communities, Municipalities and school authorities should be monitored carefully to ensure that Roma children benefit from the increase in resources and attention to equality envisaged by the law. The measures taken by school boards to prevent the concentration of children from disadvantaged communities in particular schools should also be monitored to ensure that they are in conformity with the equality guarantees concerning admission criteria for public and publicly-funded private schools enshrined in the new Law on Education.

The relevant authorities should take steps to provide appropriate support, including financial support, for adult literacy education for Roma.

Intercultural education

Findings of the first cycle

In its first Opinion, the Advisory Committee called on the authorities to make increased efforts to integrate Roma more effectively in schools, particularly by including more information about Roma, their history, culture and traditions, in teaching material.

Present situation

a) Positive developments

The new Law on Education has introduced a compulsory subject entitled “Education for Citizenship and Human Rights” which will cover, *inter alia*, the importance of respect for cultural diversity. According to the law, all students must attend one course on this subject in primary schools, and two courses in secondary schools.

The growing number of immigrant children in Spanish schools is leading to an increased awareness among public authorities in Spain of the value of intercultural perspectives on education. The Advisory Committee welcomes the assurances it was given by the Spanish Ministry of Education that this development will also benefit Roma children.

The Advisory Committee is pleased to note, in this connection, the production in 2005 by Roma associations, with the financial assistance of the Spanish Ministry of Education, of a CD-ROM containing interactive teaching materials on Roma history and culture for distribution in schools (see also comments under Article 5 above). Teaching materials on Roma culture and history have also been produced by the Andalusian Government and distributed to schools within the Autonomous Community.

b) Outstanding issues

As the Spanish system of education stands today, there are no references to Roma culture, history or traditions in school textbooks, curricula or teacher training courses. The Advisory Committee regrets that the entry for Roma in the highly-regarded Dictionary of the Royal Language Academy continues to include disparaging references.

The Advisory Committee notes that, as responsibility for the management of education has been transferred to the Autonomous Communities, the new Law on Education of May 2006 establishes a framework which regional and local authorities must develop in their own regional legislation, including by drawing up their own school curricula. The Advisory Committee notes, for instance, that whereas the law requires the introduction of courses covering respect for “cultural diversity”, the actual cultures to be respected (e.g. Roma culture) are not listed in the law. It is therefore important to ensure that the law’s provisions are implemented in the Autonomous Communities in ways that also benefit Roma.

Recommendations

The relevant authorities must ensure that the culture, history and traditions of Roma have an adequate presence in school curricula and in teaching materials. A review of dictionaries and other reference books should be undertaken to ensure that there are no disparaging references to persons belonging to minority groups.

It is necessary to ensure that the intercultural dimensions of the new Law on Education are implemented also to the benefit of Roma.

33. Sweden

Opinion adopted on 8 November 2007

Minority-related content of textbooks

Findings of the first cycle

In its first Opinion, the Advisory Committee called on the authorities to improve monitoring on minority-related content of textbooks with a view to addressing any shortcomings.

Present situation

a) Positive developments

The Advisory Committee welcomes the review of selected textbooks used in compulsory and upper secondary schools that was completed by the National Agency for Education in 2006. The review shows to what extent textbooks contain information on national minorities, providing a good basis for addressing shortcomings.

While recognising the limitations of *ad hoc* initiatives, the Advisory Committee welcomes the fact that information campaign concerning the Sami also provided useful materials for schools.

b) Outstanding issues

The results of the above-mentioned review confirmed that, while some patchy information exists on Jews and Sami, there is generally a disconcerting absence of information related to national minorities in the textbooks used in Swedish schools, despite the related requirements set out in the national curricula.

Recommendation

The authorities should address the serious shortcomings identified in the above-mentioned review of textbooks and find ways to reflect national minorities and their culture in the relevant teaching materials, including in computer-based learning programmes. This work requires close involvement of national minorities as well as consultation with the local and school authorities and others involved, bearing in mind the high degree of decentralisation in this domain and the fact that textbooks are not centrally approved in Sweden.

Roma children in schools*Findings of the first cycle*

In its first Opinion, the Advisory Committee encouraged the authorities to take additional measures aimed to enable and encourage Roma children to stay in regular classes.

Present situation

a) Positive developments

The Advisory Committee welcomes the fact that the situation of Roma children in school has been highlighted in reports, including in a recent in-depth study by the National Agency for Education, which provides a range of recommendations to improve the situation. Some promising initiatives have been taken to introduce support for Roma in regular schools, but these have been limited in scope. The Advisory Committee refers in particular to the reports that schools assistants (“bridge builders”), employed in some schools, have helped to improve school attendance amongst Roma and build confidence between Roma parents and schools.

b) Outstanding issues

The Advisory Committee is concerned that various past recommendations have yielded only modest improvements and many of the problems present during the first cycle are still reported. These problems range from limited acknowledgement of Roma culture in school curriculum to absenteeism and incidents of bullying and harassment of Roma children.

Despite some positive results, the initiative to introduce Roma teaching assistants, has been pursued on an *ad hoc* basis, often with limited funding. Training of teaching assistants has not produced the expected results, and it has proved difficult to attract applicants for such training.

Recommendations

There is a need to take additional measures to ensure that Roma can enjoy quality education in an environment that is free from harassment and respects Roma and their culture.

Roma teaching assistant initiatives should be developed further, including through more secure funding and extended training. The training of school assistants should be designed and implemented in close consultation with representatives of the Roma, and the reasons for the lack of applicants for such training need to be analysed and the shortfall remedied.

Teacher training and teaching materials*Findings of the first cycle*

In its first Opinion, the Advisory Committee encouraged the authorities to allocate funds to address the lack of minority language teachers. The Advisory Committee also drew attention to

the shortcomings that reportedly exist in this respect *inter alia* as regards materials in Meänkieli, in South Sami and Lule Sami and highlighted the need to provide adequate teaching materials in minority languages.

a) Positive developments

A positive development was that the issue of availability of minority language teachers and of textbooks was analysed in detail in a report by the National Agency for Education. The report confirms a number of shortcomings identified below.

The Advisory Committee welcomes the receipt of public funds by some new minority language teacher training initiatives, including some within the new Centre for Finnish Studies at the Mälardalen University.

The Advisory Committee finds it particularly promising that the authorities have launched a multilingual “Mother Tongue Theme Website”. While the site does not replace the need to produce textbooks in national minority languages, it is an important resource for children and teachers involved in mother tongue education and merits being developed further. The Advisory Committee stresses that the development of such Web resources should be carried out in close co-operation with minority language teachers and other stakeholders.

b) Outstanding issues

The lack of teachers in minority languages continues to be a major obstacle for the development of minority language education.

Plans to provide university level teacher training in Romani, Meänkieli and Sami languages have not yielded concrete results, and the training currently available is largely limited to individual courses. The lack of provision of university level teacher training is reportedly due partly to the lack of applicants, which may depend on unsatisfactory teaching conditions offered for minority language teachers.

There are concerns amongst national minorities that the reported plans underway in several universities to modify minority language studies substantially, which includes concentrating them in fewer universities, may impact negatively on developments in this area.

The availability of Romani language teachers remains particularly difficult. There are serious shortcomings also in the availability of qualified teachers of other languages of national minorities, the serious lack of teachers in South Sami being a case in point.

The problems regarding the availability of minority language teachers may, to some degree, be linked to the fact that the municipalities have the obligation to provide mother tongue education only when there are teachers available (see related comments below under Article 14). This condition is likely to reduce urgency around addressing the shortage of teachers. Indeed, the lack of teachers is the most common reason cited by municipalities when rejecting a request to provide mother tongue education.

The availability of textbooks in minority languages continues to be a problem, particularly for the Sami languages and for Meänkieli. The fact that the textbooks used are in a number of cases produced abroad may inadequately reflect local perspectives.

Recommendations

Sweden needs to strengthen its efforts to ensure that the teacher training reflects the demands and needs amongst national minorities. This requires a more strategic approach and increased provision of the related higher education, designed in close co-operation with representatives of national minorities. Guarantees of adequate funding for initiatives relating to minority language training should also be considered. Furthermore, the Advisory Committee invites the authorities to carefully examine the practical consequences of the legal provision stipulating that the obligation to provide mother tongue education applies only when there are teachers available.

The valuable efforts to provide Web-based teaching materials in minority languages should be pursued in close co-operation with minority language teachers and other stakeholders. They should be coupled with an enhanced domestic production of textbooks for national minorities.

34. Switzerland

Opinion adopted on 29 February 2008

Harmonisation of language teaching

Findings of the first cycle

In its first Opinion, the Advisory Committee noted that the role of English *vis-à-vis* the national languages was the subject of a wide-ranging debate in Switzerland. It stressed the legitimate concern, expressed by a considerable number of persons belonging to the linguistic minorities, that the introduction of English teaching at an early stage should not be to the detriment of the teaching of the national languages. It encouraged the authorities to ensure that the reforms underway would leave sufficient room for plurilingualism.

Present situation

a) Positive developments

In March 2004, the conference of cantonal ministers of education (CDIP) decided to pursue the coordinated development of language teaching in compulsory education and to foster language proficiency at an earlier age. The goal was to promote the first language (local national language) to a greater extent and, in the longer term, to teach all pupils two foreign languages from the third and fifth school years onwards at the latest. The foreign languages on offer will have to include a second national language and English. This coordinated development is to be realised by 2010, or 2012 at the latest, depending on the situation in the individual cantons. The order in which the two foreign languages are introduced is not decisive, the important element being to meet the targets set for the end of compulsory education, namely an equal proficiency in the two foreign languages.

The Advisory Committee notes with satisfaction that the CDIP has, through its 2004 decision, come out clearly in favour of retaining a second national language for all pupils in primary education from the fifth year at the latest. It is an important step for the strengthening of national cohesion and is fully in line with the letter and spirit of the new Federal Law on National Languages and Mutual Understanding between Linguistic Communities. The changes decided by the CDIP were confirmed through the adoption of the inter-cantonal treaty “HarmoS” in June 2007. This provides for the details of the gradual harmonisation of compulsory education throughout Switzerland by the introduction of uniform and measurable educational standards in certain school years and certain subjects, including the first and second foreign languages. The “HarmoS” treaty, which has been signed by the cantonal ministers of education, will now have to be ratified by the parliaments of the cantons and will then enter into force.

b) Outstanding issues

The CDIP’s strategy for nationwide coordination of language teaching in compulsory education has prompted strong resistance in several cantons of German-speaking Switzerland. It has been criticised for overloading primary school children, who already have to learn German – *de facto* a foreign language for them – after Swiss German. Opponents to the CDIP strategy favour the teaching of a single foreign language at primary school, which would be English. Consequently, French would be left out of primary education and only taught in secondary schools. Numerous popular initiatives and parliamentary interventions have been made in different cantons to introduce the model of a single foreign language at primary level. To date, however, it appears that no canton has finally opted for English as the single foreign language at primary school.

Recommendation

The cantonal authorities should continue their efforts to ensure the swift implementation of the inter-cantonal harmonisation of language teaching without weakening the teaching of national languages. They should also intensify existing awareness raising measures on the need to promote plurilingualism of teachers and pupils.

Representation of Jewish history and culture in the curricula

Findings of the first cycle

In its first Opinion, the Advisory Committee called on the authorities to ensure that teaching programmes reflect more the history and concerns of the Jewish community and take account of phenomena connected with anti-Semitism.

Present situation

Positive developments

A number of commendable initiatives have been taken to increase the attention given to the history, culture and religion of the Jewish community in teaching programmes and school activities. For example, a “Day of Remembrance of the Holocaust and for the Prevention of Crimes against Humanity” is marked on 27 January every school year with effect from 2004 and school materials entitled “Surviving and bearing witness: Holocaust survivors in Switzerland” were published in January 2007. The Advisory Committee was pleased to learn that representatives of the Jewish community expressed satisfaction at the content of the curricula. The Advisory Committee recalls, however, the need to fight vigorously against current acts of anti-Semitism (see related comments under Article 6, above).

Promotion of the language and culture of Travellers

Findings of the first cycle

In its first Opinion, the Advisory Committee noted with satisfaction that the Federal authorities had initiated discussions with Travellers with a view to gaining a deeper knowledge of their linguistic and cultural needs and encouraged them to support new initiatives in this field. It also noted certain difficulties with regard to access to education for children of Travellers with an itinerant way of life.

Present situation

The Federal Office of Culture has on a number of occasions offered the Yenish community financial support for language projects. The Association of Travellers recently took the view that efforts to promote Yenish should be pursued only for the purpose of communication between members of the community and that it would reject all measures aimed at opening up the language to other cultural groups. During its visit, the Advisory Committee was made aware that other Yenish representatives take the view that the Confederation should develop a broader cultural policy for the Yenish, Sinti and Roma, including in the field of education where there is a need to develop further projects. The Advisory Committee is pleased to note that the Federal Office of Culture is fully aware of this and has reiterated its readiness to support projects promoting the Yenish language in close co-operation with the Yenish themselves. In April 2007 representatives of Travellers presented a scheme on the Yenish language, which aimed to record existing Yenish vocabulary and encourage the dissemination and use of this language in the Yenish community.

As regards reported difficulties in the access to education for children of Travellers practicing an itinerant way of life, the situation is generally considered satisfactory by Travellers. While welcoming that this issue can now be discussed more openly with those concerned, the authorities are ready to discuss further measures to help the children concerned to reach better

school achievements, such as the possible introduction of educational assistance in stopping places and transit sites. Such measures should contribute to helping Travellers' children complete their vocational and higher education.

Recommendations

Switzerland should pursue its effort to support the language and culture of Travellers through various educational projects carried out in close co-operation with those concerned and with due sensitivity to the various viewpoints of the Yenish themselves.

Measures intended to facilitate regular school attendance from Travellers children practicing an itinerant way of life should be continued and developed where appropriate. Constant attention should be paid to promoting mutual understanding with the school authorities and pupils from the resident population.

35. “The former Yugoslav Republic of Macedonia”

Opinion adopted on 23 February 2007

Multicultural and intercultural education

Findings of the first cycle

In its first Opinion, the Advisory Committee urged the authorities to step up their efforts to promote and facilitate intercultural understanding and contact in and through schools. The authorities were also invited to make greater efforts to address the shortage of textbooks and qualified teachers in minority languages.

Present situation

a) Positive developments

The Advisory Committee notes that efforts have been made over the past few years to promote tolerance and respect for human rights and to use schools to help bring together persons belonging to different communities. It especially welcomes the initiatives launched to this end in municipalities affected by conflict. The Advisory Committee observes, however, that such initiatives are developed above all by NGOs, with support from international organisations, and regrets that the state is not adequately involved in this type of activity (see also the comments on Article 6 above).

b) Outstanding issues

While taking note of the efforts made to promote tolerance and interethnic understanding in schools, the Advisory Committee is concerned that the education of children from the majority and minority (especially Albanian) communities is too often separated. Even though the children attend the same school, they often have separate timetables and, in many cases, separate premises. This approach, which does not encourage dialogue and interaction, results in some cases in very limited communication, if any, between children, families and teachers belonging to different communities, and especially affects relations between Macedonians and Albanians.

The Advisory Committee recognises that, due to specific needs related to minority language teaching, separate classes or schools may be needed in the context of minority education. It acknowledges that there are different ways to accommodate such needs, including bilingual education, and notes that different modalities are also in use in “the former Yugoslav Republic of Macedonia” (see observations under Article 14 of the Framework Convention below). Nevertheless, given the specific context of “the former Yugoslav Republic of Macedonia”, the Advisory Committee considers it disconcerting when the separation in education becomes excessive and is extended to extracurricular activities of children and youth from majority and minority communities, including in leisure, sport and cultural activities.

According to representatives of the smaller ethnic communities (such as the Vlachs), the new history and literature textbooks used in schools since 2005 contain very little information about groups other than Macedonians and Albanians, and the curriculum leaves teachers free to decide how much time, if any, is to be spent on the culture and history of the smaller communities.

Also, a lot of criticism has been levelled at the Ministry of Education for not doing enough to promote integration and dialogue between children from different communities or to meet the specific educational needs of these children.

Recommendations

The Advisory Committee calls upon the authorities to take determined steps to promote mutual knowledge and understanding between pupils, teachers and families belonging to different ethnic communities. Textbooks and teaching materials should devote proper attention to the cultures and identities of the different communities, including those which are numerically smaller, and teaching staff should receive training adapted to the goals of multicultural and intercultural education.

In addition, the relevant authorities should make sure that extracurricular activities and the way in which schools actually organise their classes promote integration and reconciliation. The state should become more closely involved – by providing the necessary expertise and financial resources – in civil-society activities and initiatives to rebuild mutual trust and intercultural dialogue.

Equal opportunities for access to education

Findings of the first cycle

In its first Opinion, the Advisory Committee urged the authorities to strengthen the institutional capacity of the relevant department of the Ministry of Education dealing with minority education and to step up efforts to promote equal opportunities for access to education at all levels for persons belonging to minorities. The authorities were also invited to find ways of reducing the drop-out rate for Turks and Albanians between primary and secondary school.

Present situation

a) Positive developments

According to the information provided by the State Report, the authorities have made an effort over the past few years to reinforce the relevant department of the Ministry of Education responsible for minority education with the necessary staff and expertise. The Advisory Committee notes that a woman representative of the Roma community was recently appointed to head this department.

There have also been efforts, as part of the broader “Education for All” project, to improve working conditions in schools, especially those operating in a multicultural environment. Thus steps have been taken to equip these schools with the necessary materials and facilities for teaching in the minority languages that are languages of instruction (Albanian, Turkish and Serbian) and for the teaching of Vlach and Romani. Greater attention has also been paid to teacher training for this type of teaching.

According to the State Report, special steps have been taken to tackle the plight of Turkish schools (provision of more Turkish-language classes, funding of new textbooks and especially teacher training), and the authorities are confident that the educational problems facing this minority will gradually be eliminated.

Similarly, efforts have been made to improve the situation of schools providing instruction in Albanian and experiencing problems because of increased demand and a lack of suitable space and facilities. Numerous projects have been devoted to creating the necessary material conditions – including construction of new schools – for improving the quality of education by

means of teacher training and replacing the necessary teaching materials. According to the State Report, the Albanians now have an education system that has gradually developed at all levels. The Advisory Committee notes that, although tensions arose several years ago between pupils and families from the Macedonian and Albanian communities concerning the introduction of Albanian-language classes and schools, these tensions have gradually eased owing, amongst other things, to reconciliation initiatives on the part of civil society.

Under the Higher Education Act of July 2003, access to higher education for persons belonging to the various communities is promoted by a quota system guaranteeing fair and proper access to first-year university courses for students belonging to minorities. In accordance with this Act and pursuant to the Ohrid Agreement, these positive measures are intended to reflect the ethnic make-up of the overall population in the student population of the universities. Official statistics show a rise in the number of Albanians able to pursue higher education in their own language over the past few years. This was in particular made possible in the framework of the two universities that operate in parallel in Tetovo, the State University of Tetovo (officially recognised by the Government in 2004 after numerous tensions) and the privately funded South-East European University (which provides education in Albanian, Macedonian and English). The Advisory Committee notes that the two institutions offer a largely similar range of subjects and both indicate, among their priorities, the promotion of dialogue and interaction between students from different communities.

b) Outstanding issues

The impact of the implementation of decentralisation on the effective application of the measures aimed for national minorities in the field of education is a major source of concern for representatives of these minorities. Similarly, numerous complaints from local authorities, irrespective of ethnic affiliation, mention confusion in the division of responsibilities and an imbalance between the level of available resources and local authorities' new responsibilities for the running of schools. At the same time, problems and irregularities have been reported concerning undue interference by central government in the running of schools, including recruitment of teaching staff and appointment of head teachers.

According to representatives of the Ministry of Education, a new strategy is being worked out to allocate resources according to the number of pupils on the school roll; this should also make it possible to meet the needs of minority schools more effectively. At present, despite efforts by the Ministry to prepare new textbooks and update the teaching materials required for this type of education, it has so far been impossible to raise the resources to print this material and train the necessary teachers for all the communities concerned (see the comments on Article 14 of the Framework Convention below).

The Advisory Committee notes that these problems particularly affect persons belonging to the smaller communities, who consider that the authorities should pay increased attention to their educational needs. It also appears that Albanian girls are in some areas faced with difficulties in terms of school attainment, high drop-out rate (in many cases at the age of 11 or 12) and consequently, Albanian women can face low levels of literacy, in particular in the Macedonian language. The Advisory Committee notes that, while opening possibilities for a more adequate response to the educational needs of the larger communities, the planned system of financing education on the basis of the numbers of pupils in schools, if not applied in a flexible manner, could further inequalities in access to the minority language education for the smaller groups.

Recommendations

As regards the decentralisation process, the authorities should provide the necessary clarification as to the responsibilities of the various players and the practical arrangements for transferring powers in the education field, in order to prevent the education of persons belonging to minorities from being affected. In particular, the question of the resources needed by local authorities to discharge their increased duties in this field should be given urgent

attention and dealt with in a transparent manner, and on the basis of clear, objective and equitable rules.

The Advisory Committee further encourages the authorities to take a balanced approach to developing and implementing their education policy for persons belonging to national minorities so as to make sure that requisite attention is paid also to the needs of the smaller minorities.

Situation of the Roma

Findings of the first cycle

In its first Opinion, the Advisory Committee urged the authorities to address the low school attendance and high drop-out rate of Roma children and to find ways of improving Roma access to higher education, such as checking the operation of the quota system introduced.

Present situation

a) Positive developments

The Advisory Committee notes with satisfaction that the State has shown more determination over the past few years to improve the educational situation of the Roma, which is a priority of the national strategy for the Roma and the national action plan adopted by the Government in 2005.

In addition to special measures for improving the economic position of this population, there have been numerous initiatives to make authorities, families and members of the education system aware of the specific difficulties faced by the Roma, in particular Roma girls, in the field of education and of their needs in this sector. In particular, the Ministry of Education is seeking progressively to limit the number of Roma dropping out of school by taking steps to guard against this phenomenon, and a strategy to ensure that no child remains outside the education system has been drawn up. An extra year of pre-school education has also been introduced, one of its objects being to prepare Roma children for starting school.

Special arrangements – including grants from the state – have been set up to encourage and facilitate Roma access to secondary education, and programmes to provide Roma pupils in secondary education with individual support and assistance have been developed with international backing. The initial results are promising, and reportedly show that Roma interest in post-primary education is gradually growing.

The Advisory Committee welcomes the commendable initiatives of non-governmental organisations that are attempting to make families aware of the importance of education for their children and to raise the awareness of educators in order to train them especially for work with Roma children. It notes, however, that these initiatives are highly dependent on funds from foreign donations and cannot always be continued if the State does not contribute appropriate resources.

b) Outstanding issues

Whilst welcoming the above measures, the Advisory Committee observes that Roma children are still facing serious problems in the field of education. Their school attendance is still very low and the drop-out rate remains particularly high, with only a small proportion able to reach secondary education. Thus, according to official data for 2005, out of a total of 8000 Roma children enrolled in primary schools, fewer than 700 completed their primary education. Various sources point out that girls account for over 50% of drop-outs.

The economic insecurity of Roma families is largely at the root of this situation and calls for determined measures on the Government's part. Pre-school education is not free-of-charge, which means that Roma children's access to preparation for primary school is even more difficult for them. The fact that most of these children have a poor grasp of Macedonian is a further obstacle calling for appropriate action on the Government's part. The Advisory

Committee is pleased to learn that introductory programmes are now being developed to make it easier for these children to receive pre-school education.

On top of the particularly difficult socio-economic plight of their families and despite a certain improvement in the situation over the past few years, Roma pupils often face hostile attitudes on the part of teachers, parents and other pupils, as well as practices of discrimination and, in some cases, separation.

The Advisory Committee notes that the measures of financial support provided (with substantial international assistance) to facilitate Roma access to secondary and higher education have been particularly useful and are beginning to bear fruit. It wishes to stress, however, that these measures can only have a significant impact if the state firmly commits itself to guaranteeing their continuity and to ensuring that supply, as far as possible, matches a demand which seems to have markedly increased over the past few years. It also appears that shortcomings have been noted in the implementation of the quota system for access to higher education in respect of the Roma.

Recommendations

The Advisory Committee urges the authorities to show greater determination in continuing and developing the measures provided in the national strategy for the Roma, supporting them with adequate financial resources, in order to guarantee the Roma equal opportunities for access to education, whether they are children or adults.

Through appropriate supporting measures and awareness-raising, the authorities should make it a priority to increase the school attendance of Roma children and reduce their drop-out rate. They should continually monitor the situation in this field and take action according to the problems found. Special attention should be devoted to pre-school and secondary education and adequate resources should be allocated for the proper implementation of the adopted measures. In parallel, the measures taken to promote Roma access to higher education should be pursued and developed further and their effective implementation for the benefit of the Roma should be monitored.

At the same time the authorities should step up efforts to raise awareness in the school environment in order to forestall and eliminate practices leading to discrimination against and separation of Roma pupils, and any occurrence of such practices should be met with appropriate measures.

More determined efforts should also be made to train teachers for work with Roma pupils, which would include attracting persons belonging to the Roma community to the teaching profession.

36. Ukraine

Opinion adopted on 30 May 2008

Textbooks and teacher training

Findings of the first cycle

In its first Opinion, the Advisory Committee noted that the contents of history textbooks did not always portray adequately the role played and the positive contributions made by national minorities. The Advisory Committee also noted difficulties in ensuring adequate access to textbooks for persons belonging to national minorities and objections from the authorities to the introduction of teaching in minority languages on the grounds of an alleged lack of qualified teachers.

Present situation

a) Positive developments

According to the State Report, additional textbooks have been developed since 2002 for educational institutions with minority languages such as new educational materials in Romanian for pupils from grades 1 to 4 and new ABC-books in Polish, Hungarian, Bulgarian and Crimean Tatar. The Ministry of Education has expressed commitment to continue to produce textbooks in minority languages to meet the remaining needs in this sphere.

b) Outstanding issues

As was mentioned to the Advisory Committee by representatives of civil society and national minorities, the history and culture of national minorities is virtually absent from history and other textbooks. The Ministry of Education reportedly considers that it would be too demanding to introduce elements of history on all national minorities in the general curricula and that there is no need to highlight in a particular chapter the particular contribution made by national minorities to the Ukrainian State. Against this background, the Ombudsman recommends to revise the content and study of the history of Ukraine taking into account the history of all peoples of Ukraine.

The lack of quality textbooks continues to be an issue of deep concern for several national minorities, such as the Romanians, the Moldovans and the Crimean Tatars. Textbooks are said to be outdated, insufficient in numbers and poorly translated from Ukrainian, a state of affairs which may contribute to decisions by parents to send their children to Ukrainian schools (see related comments under Article 14, below). One reason behind this seems to be the requirement to use exclusively textbooks published by the Ukrainian Ministry of Education or textbooks approved by this Ministry from domestically produced ones, a requirement which excludes all foreign textbooks. Also literature materials intended for school libraries are allegedly subject to a cumbersome acceptance procedure by the Ukrainian authorities, which makes it very difficult for educational institutions with minority languages to acquire them even via international donations.

There remains a lack of qualified teachers for teaching in minority languages and this argument is sometimes used by the authorities to discourage the opening or maintenance of educational institutions with minority languages (see related comments under Article 14, below). Against this background, there does not seem to be a policy to address this problem by strengthening the existing training capacities in the various pedagogical institutes. On the contrary, according to the Romanian and Bulgarian minorities, the capacities of the pedagogical institutes of Transcarpathia and Odessa have even been reduced.

Recommendations

The authorities should review the existing textbooks and the compulsory curriculum in consultation with minority representatives, with a view to ensuring a better reflection of the history, culture and traditions of national minorities.

Adequate financing should be allocated and further measures should be taken by the authorities, including through bilateral co-operation, to develop and acquire quality textbooks for educational institutions with minority languages. Consideration should be given to easing existing undue procedural requirements for accepting literature materials from abroad.

Efforts should be intensified to ensure that a sufficient number of qualified teachers are trained to meet the needs of educational institutions with minority languages.

Access to higher education

Findings of the first cycle

In its first Opinion, the Advisory Committee noted that persons belonging to the Romanian minority had been calling for the creation of a multicultural university in the Chernivtsi *oblast*, and invited the authorities to consider the feasibility of this initiative in dialogue with those concerned, together with other options aimed at promoting equal opportunities for access to education at all levels for persons belonging to Romanian and other national minorities.

Present situation

Outstanding issues

As concerns access to higher education, the Advisory Committee understands that, following the Constitutional Court's ruling N°10-rp/99 on the use of the State language, efforts have been pursued to move towards University teaching in the Ukrainian language only, although this policy does not seem to have been consistently implemented to date, especially with regard to the Russian language.

No follow-up has been given by the authorities to the proposal to set up a multicultural university in the Chernivtsi *oblast* ; consequently Romanian students are obliged to study topics other than Romanian philology in Ukrainian exclusively. The University of Chernivtsi was indeed granted the status of State university, which implies that teaching must take place in Ukrainian only.

Recommendation

The authorities should ensure that efforts to introduce a more consistent use of the Ukrainian language in higher education do not result in removing all possibilities to study certain topics in minority languages or bilingually, especially in regions with a sizeable minority population. Increased attention should be paid to transitional measures to avoid negative consequences on the access to and quality of higher education for students belonging to national minorities.

Roma children in schools

Findings of the first cycle

In its first Opinion, the Advisory Committee noted that attendance figures for Roma children were low at all levels of education, and called on the authorities to pay increased attention to this issue, with a view to designing new initiatives to improve the situation of Roma in education.

Present situation

Outstanding issues

The Advisory Committee has been informed that there is still a high level of absenteeism and lower school performance from Roma children when compared with non-Roma children. For example, according to the Uzhgorod authorities, only 30% of Roma children regularly attend school in this region. Roma representatives and non-governmental organisations claim that more needs to be done by the State authorities to reduce the drop-out rate of Roma children. In particular, further efforts should be made to encourage the attendance of Roma children in pre-school education, which is often a prerequisite for their successful integration in mainstream schools.

The Advisory Committee is deeply concerned about reports pointing to the continuous existence of schools and/or classes of a much lower quality attended by Roma children exclusively. Roma are indeed often said to face discriminatory attitudes by some local authorities and/or school management when they try to enroll in mainstream schools. Such attitudes and practices lead to school segregation, which must be addressed as a matter of priority.

Difficulties in ensuring equal access to education for Roma are also apparent in higher education. Only a handful of Roma students seem to be studying in the Universities of Ukraine. Given the high level of illiteracy among adult Roma, the provision of adult education appears insufficient. There is also a lack of adequately trained teachers of Roma background who may play an important role in raising awareness within the Roma community of the importance of education.

Recommendations

The Ukrainian authorities should take steps to provide appropriate support, including of a financial nature, for pre-school education and other initiatives aimed at preventing absenteeism and school drop-out. The presence of teachers and assistants from the Roma community could be developed within the school system.

Further efforts should be made to integrate Roma pupils in mainstream schools and prevent the development of segregated schools/classes. Resolute steps need to be taken as a matter of priority to eliminate any discriminatory practices in enrollment of the Roma children into mainstream schools.

There is a need to develop further measures, including special measures, to increase the number of Roma students in higher education.

37. United Kingdom

Opinion adopted on 6 June 2007

Equal access to education

Findings of the first cycle

In its first Opinion, the Advisory Committee identified a number of difficulties faced by children and adults from certain minority ethnic backgrounds, especially African and African Caribbean, Pakistani and Bangladeshi, in the field of education. These problems included lower attainment levels, higher school exclusion rates, lower levels of participation in higher education, and under-representation among the teaching staff. The Advisory Committee called on the Government to take steps in order to improve this situation.

Present situation

a) Positive developments

Under the Race Relations (Amendment) Act 2000, and subsequent orders adopted under this act, educational establishments in England, Wales and Scotland have, in addition to their general statutory duty to tackle racial discrimination, promote equality of opportunity and good race relations, a series of “specific duties” which include monitoring the impact of all their policies on pupils, staff and parents from different racial groups, and preparing race equality policies which explain the actions they will take in order to tackle inequalities. The Advisory Committee has received reports which suggest that important efforts have been made by schools to collect and analyse education-related data by ethnicity. It is particularly positive that, since 2003, Gypsy/Roma and Travellers of Irish heritage have been added as distinct categories within school census data, in spite of their absence from the official census categories in Britain (see comments under Article 3 above).

The Advisory Committee notes that providing equal opportunities for all children is identified as a priority in the United Kingdom’s cross-Government strategy to increase race equality and community cohesion, launched in 2005. Specific work launched under this strategy in England has included the expansion of childcare and nursery education, making grants available to minority ethnic pupils, boosting teaching of English as an additional language and disseminating good practice to help schools identify ways to raise the achievement of minority ethnic pupils. Schools in England are now encouraged to mainstream diversity and equality

issues throughout the curriculum, rather than only within the study of Citizenship. According to the data on the achievement of pupils by ethnic community collected annually by the Department of Education and Skills (concerning England), there have been gradual improvements for all minority ethnic communities since 2003 and children from certain ethnic backgrounds, namely Chinese and Indian, continue to perform significantly better at school than their peers.

Although the development of policies in support of racial equality in schools has been more limited in Scotland and Northern Ireland, reflecting the relatively small size and more recent presence of minority ethnic populations in both constituent countries of the United Kingdom, efforts have also been made by the Scottish Executive and Northern Ireland administration to address this issue. The Advisory Committee notes that Citizenship education is included in Scotland's national guidelines for schools, which are currently being reformed *inter alia* to ensure that equality issues are mainstreamed into the whole curriculum. Northern Ireland is also currently engaged in curricular reforms which will see the introduction of a new subject on Citizenship (including teaching on diversity and inclusion) to be implemented from September 2007.

b) Outstanding issues

Notwithstanding the above-mentioned positive developments, the information available to the Advisory Committee suggests that improvements in the achievement levels of minority ethnic pupils have been slight and other problem areas have not been resolved. A recent report commissioned by the Government indicates that exclusion rates in England still disproportionately affect Black students and little progress has been made in terms of improving the participation of persons belonging to certain minority ethnic communities, such as Bangladeshi women and African Caribbean men, in higher education. The Advisory Committee is concerned about reports which indicate that, while schools in England have generally made progress implementing their duty to monitor the impact of their policies, many of them have failed to identify clear goals or targets for improvement.

Information received from representatives of minority ethnic communities in Scotland suggest that schools in Scotland are also reacting slowly to their race equality duties, but also to the Scottish Executive's national guidelines covering citizenship, inclusion and diversity. The Advisory Committee notes that the non-prescriptive nature of Scotland's national guidelines for schools means that the problems identified by minority representatives in relation to Citizenship education in England – which is reportedly not always taken seriously by teachers - are even greater in Scotland. Schools in Scotland, particularly in rural areas, where many new migrants with poor proficiency in English are moving to, often do not have the resources nor the experience to adapt their policies appropriately.

Recommendations

The Government should step up efforts to support schools in taking forward the requirements of the Race Relations (Amendment) Act 2000, including by providing the necessary financial resources that may be needed to deal with the additional work required.

The Advisory Committee calls on the Government to provide clearer guidelines on how schools should teach Citizenship. This part of the national guidelines for schools should be made prescriptive in Scotland.

Gypsies and Travellers

Findings of the first cycle

In its first Opinion, the Advisory Committee found that attendance levels of Gypsy and Traveller children at primary schools, and more particularly at secondary schools and higher education, were low and called on the Government to examine how the situation could be improved.

Noting that the majority of primary age Irish Traveller children in Belfast are educated separately in a single school (St Mary's Primary School), due in part to concerns about the possibility of racist intimidation and bullying at other primary schools, and considering that it is in the best long-term interests of both Irish Traveller children and settled children to be educated together in an integrated environment, the Advisory Committee called on the Government to explore further how to achieve this aim.

Present situation

a) Positive developments

The Advisory Committee notes that the education departments of the various United Kingdom jurisdictions continue to fund services aimed at improving educational opportunities for Gypsies and Travellers. In England, the Government continues to fund the Traveller Education Support Service set up by local authorities to help meet the needs of Gypsy and Traveller children. The Scottish Executive similarly continues its support of the Scottish Traveller Education Programme. Northern Ireland uses a system of Traveller Liaison Teachers based in each Education and Library Board, which visit and provide support to Irish Traveller pupils in their respective areas. New guidelines have been issued to schools on how to prevent and tackle bullying and research and pilot projects are being funded to encourage schools to provide distance-learning for children with interrupted schooling.

b) Outstanding issues

Statistical data suggests that the attainment levels of Gypsy and Traveller pupils continue to be the lowest of all minority ethnic communities. Many Gypsies and Travellers feel that their culture and heritage is not recognised and valued in schools and they continue to complain of bullying by their peers and discrimination from their staff. Traveller Education Services are reportedly often under-resourced and unable to meet the demands made of them. Difficulties faced by Gypsy and Traveller communities securing accommodation and high levels of unemployment (see Article 4) have a negative impact on the ability of Gypsy and Traveller children to go to school and/or take advantage of the limited facilities for distance learning that are made available.

The Department of Education of Northern Ireland has stated that, while it is its policy to encourage the integration of education for Traveller children and other children, there are no plans to phase out provision at St Mary's Primary School so long as there is sufficient demand for places at the school among Traveller children and parents. Instead, the school has received extensive investment of resources and, according to the Education and Training Inspectorate of Northern Ireland, this is resulting in improvements in the standards which Traveller children enrolled in this school attain.

Recommendations

The relevant authorities should step up their efforts to support the educational needs of Gypsy and Traveller children and special funding should be set aside for this purpose.

More strenuous efforts are needed to ensure that there is no place for bullying and racist intimidation of Gypsy and Traveller children in schools, and consideration should be given to introducing greater flexibility in the curriculum to ensure that it inspires and motivates Gypsy and Traveller children.

While welcoming the Department of Education's current investment into St Mary's Primary School to ensure that its teaching standards are adequate, the Advisory Committee encourages the Department of Education to find ways, in consultation with the parents of the Traveller children enrolled in this school, to move towards a more integrated solution.

Teacher training

Findings of the first cycle

The Advisory Committee noted the Government's comment during the first monitoring cycle that in Scotland there is a need for expanding initial teacher education for Gaelic-medium teaching and encourages the Scottish Executive to pursue ways to increase the supply of Gaelic medium teachers.

Present situation

a) Positive developments

The Advisory Committee welcomes the Scottish Executive's expressed commitment to increase the availability of Gaelic medium teachers. The Committee understands that additional funding has been provided to the universities of Strathclyde and Aberdeen to increase the number of teacher-training places, and a course has been developed to assist Gaelic-speaking teachers who teach through the medium of English to transfer to Gaelic-medium teaching. A Gaelic Teacher Recruitment Officer has also been appointed by the Gaelic Language Board.

The Department for Education and Skills has launched a number of projects under the *Aiming High* initiative aimed at developing accredited training in England for teachers working with bilingual pupils. The Scottish Executive and Northern Ireland administration are equally beginning to invest in programmes to train teachers to teach English as an additional language.

b) Outstanding issues

While recognising that the Scottish Executive's increased investment into training Gaelic-medium teachers will take time to begin producing results, the Advisory Committee notes that the shortage of teachers was highlighted in the United Kingdom School Inspectorate report of 2005 as the key obstacle to expanding Gaelic-medium education.

Representatives of minorities in Northern Ireland stressed the shortage of teachers of English as an additional language in their exchanges with the Advisory Committee.

Recommendations

The Advisory Committee urges the authorities to continue investing in the provision of teacher training places as a necessary step for promoting knowledge of the languages of both national minorities and the majority population.